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**PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS**  
**Thursday, January 17, 2002 - 6:00 p.m., City-County Complex Chambers**  
**1409 Hammond Avenue, Superior, Wisconsin**

Meeting called to order by Chairman Douglas Finn.

Pledge of Allegiance recited.

Roll call taken by County Clerk Susan T. Sandvick. There were 28 present, 2 absent. Absent and excused were Michael Glenn, Carl Zukowski.

Motion by Shepard, second Kallstrom, to approve minutes of the October 30, 2001 and December 20, 2001 meetings. Motion carried.

**CLAIMS AGAINST THE COUNTY**

Notice of Injury and Circumstances Giving Rise to Claim from Attorney Dennis Cochrane, on behalf of Todd Garner, individually, and as next of kin and Special Administrator of the Estate of Donna Wahlberg, deceased, alleging failure of Indianhead Home Services to provide proper and adequate medical and health care to Donna Wahlberg, and based on information and belief, Douglas County arranged for, supervised, paid for, and/or was otherwise responsible for the care provided by Indianhead Home Services.

**CORRESPONDENCE**

1. Wisconsin Counties Association, announcing retirement of Executive Director Rogacki, and appointment of replacement, Mark D. O'Connell. Received and filed.
2. Vern Johnson, South Range, Wisconsin, regarding extending County Highway K". Referred to Highway Committee.
3. Department of Natural Resources, regarding purchase of land in Douglas County from Ronald D. Pete. Referred to Land and Development Committee and Forest, Parks and Recreation Committee.
4. Resolution from Shawano County encouraging legislation allowing additional court costs to be used to establish county security funds. Referred to Law Enforcement Committee and Judiciary, Legislative and Veterans Committee.
5. Department of Natural Resources, grading permit for Lawrence Kutz to grade on bank of tributary to Central Park Creek, City of Superior. Received and filed.

6. Department of Transportation, final estimate payments for calendar year 2002 general transportation aids. Referred to Highway Committee.
7. Wisconsin Counties Association, inviting county officials to attend the Annual Legislative Exchange, February 5 - 6, 2002, in Madison. Referred to County Board Chair.
8. Amanda Hurin, Superior, Wisconsin, regarding increasing emergency services to rural areas. Referred to Law Enforcement Committee.
9. Heidi Mickelson, Superior, Wisconsin, regarding increasing emergency services to rural areas. Referred to Law Enforcement Committee.
10. Capitol Consultants, Inc. activity report summarizing services performed on behalf of the City of Superior, Douglas County, and the Development Association. Referred to Administration Committee.
11. Enbridge Energy pipeline routing permit for construction of proposed pipeline expansion. Received and filed.
12. Katey Goodiel, Superior, Wisconsin, regarding emergency services response time. Referred to Law Enforcement Committee.
13. Darla Hium, Wisconsin Counties Association, notice of her resignation as Deputy Director. Received and filed.

Correspondence not on agenda:

14. Thomas Vracko, Cerritos, California, regarding a resolution adopting English as official language of government. Referred to Judiciary, Legislative and Veterans Committee.
15. Great River Energy, Elk River, Minnesota, notice of Bardon-Stinson electric transmission line construction commencing. Referred to Land and Development Committee.
16. Department of Natural Resources, Air Management Program, regarding air pollution control permit to Midwest Energy Resources Company, Superior. Referred to Environment, Agriculture and Extension Committee.
17. Frank Rowland, POWER Engineers, Inc., notice to property owners within Arrowhead to Weston transmission line project route, that activities will commence in February, 2002. Referred to Land and Development Committee.
18. Rusk County, resolution encouraging Wisconsin Counties Association to implement a strategic

planning process and enhanced relationship with legislature. Referred to Judiciary, Legislative and Veterans Committee.

## **PRESENTATIONS**

James Litwin, Construction Project Manager, update on Metro Center project. Litwin made a presentation last night to the Joint Superior Common Council - Douglas County Board Committee of the Whole meeting, and will not be here this evening.

## **ORDINANCES**

### **ORDINANCE #4.36 SINGLE TRIP PERMIT ORDINANCE PRESENTED BY THE HIGHWAY COMMITTEE**

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF DOUGLAS DOES ORDAIN AS FOLLOWS:

#### **SECTION I. PURPOSE AND AUTHORIZATION.**

WHEREAS, the Douglas County Highway Department is authorized under Sections 348.25 and 348.26 of the Wisconsin Statutes to issue special single-trip permits for vehicles which exceed maximum limitations of size, weight or projection of load as permitted by Wisconsin law over County Highways, and

WHEREAS, Section 348.25(3) of the Wisconsin Statutes authorizes local authorities to impose conditions in addition to State Statutes, and

WHEREAS, the Douglas County Highway Department finds that the following requirements are necessary to ensure the safety and convenience of all users of Douglas County Highways, the following requirements are hereby adopted:

#### **SECTION II. REQUIREMENTS.**

- A. For loads exceeding 8 feet 6 inches but less than 12 feet in overall width:
  - 1. "OVERSIZE LOAD" signs must be used in compliance with Wisconsin Administrative Code Section TRANS 230.01(3)(e)(15) or subsequent requirements as enacted by the Wisconsin Department of Transportation.
  - 2. Functioning amber rotating lights must be used on the outside extremities of the load.

3. Each load must be transported in conjunction with a flag person.
- B. For loads 12 to 15 feet in overall width:
1. No single trip permit shall be issued without production of a signed inspection or a waiver thereof by the Wisconsin State Patrol.
  2. A two-car private escort, properly equipped, is required, one ahead of the load and one behind with functioning radio communication between all units participating in the move.
  3. A maximum speed of 35 miles-per-hour.
- C. For loads over 15 feet in overall width:
1. No single trip permit shall be issued without production of a signed inspection or a waiver thereof by the Wisconsin State Patrol.
  2. A three-car County Police escort properly equipped is required, two ahead of the load and one behind, or a two-car County Police escort and a two-car private escort properly equipped with functioning radio communications between all units participating in the move.
  3. A maximum speed of 35 miles-per-hour.

**SECTION III. PROVISIONS APPLICABLE TO ALL APPLICANTS.**

- A. The applicant is responsible for the arrangements and costs of inspection by the Wisconsin State Patrol and any required escort vehicles and equipment.
- B. Single trip permits shall allow movement along County Highways only between the hours of 9 o'clock a.m. and 3 o'clock p.m., Monday through Friday, within the dates provided in the permit.

**SECTION IV. PENALTIES.**

Violators of this ordinance shall be subject to forfeitures as follows:

1. For first offenders, not less than \$1,000 nor more than \$3,000.

2. For second offenders, not less than \$2,000 nor more than \$3,000.

SECTION V. EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and publication.

Dated this 17<sup>th</sup> day of January, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

**ACTION:** Motion by Olson, second W. Johnson, to adopt. Supervisors have been receiving numerous calls regarding this new ordinance, and it appears there is a great deal of confusion and concern. Paul Halverson, Highway Commissioner, addressed the Board, and summarized the ordinance, particularly in relation to the state statute. Majority of calls Halverson has received are coming from contractors who haul equipment, and since they get permit from the state this ordinance does not apply to them. Single trip permit is not something new, and is designed for a single trip, not repeated trips. A permit has been used for some time, but the requirements were not clear. This ordinance clarifies what is permitted and what is not, along with definitions and enforcement policies. Most frequent uses for the permit would be the one time move involved with moving sheds, homes, garages. Supervisors and contractors questioned many components of the ordinance as presented. Halverson indicated this ordinance adds a few subtle requirements to meet needs of the narrower lanes on county roadways. Contractors, haulers and others affected by this type of ordinance were encouraged to attend the Highway Committee meeting, the first Wednesday of February, to help fine tune the ordinance. Halverson was asked to present the ordinance in some way that helps identify the differences from state statutes. Motion by John Cosgrove, second Hooper, to refer Ordinance #4.36 back to the Highway Committee. Meeting will be held Wednesday, February 6, 2002, 9 a.m. at the Highway Department. John Lohse, Equipment Manager with Lakehead Constructors, addressed the Board regarding the various types of moving calls Lakehead makes on a moments notice, like a transformer down. He submitted this ordinance ties their hands, and that the state statute is sufficient. He discouraged this added ordinance, and asked to be involved in the Highway Committee decision. Terry Priem, Priem's Forest Products, addressed the board with concerns on tire size, and the 9 to 3 hours, with no weekend work, which will be too restrictive for him. Priem would like to see an exemption for forestry like the exemption for agriculture. Motion to refer, carried.

**RESOLUTIONS**

**RESOLUTION #1-02**

**RESOLUTION BY THE ZONING COMMITTEE**

Subject: Zoning District Map Amendment Denied

WHEREAS, the Douglas County Zoning Committee held a public hearing on January 10, 2002, on the following petition for amendment of the county zoning district ordinance map:

Located in the NE1/4 of the NE1/4 of the NE1/4, Section 24, Township 43 North, Range 12 West, Town of Wascott, from F-1 Forestry to RR1 - Residential-Recreation, from John A. Kurowicki, P.O. Box 48, Solon Springs, Wisconsin. Intended Use: residential/recreational.

WHEREAS, proof of publication of the notice of the public hearing, proof of giving of notice to the town clerk of the hearing and resolution from the Town of Wascott, are as shown on Exhibit A-01-02, and

WHEREAS, the Zoning Committee recommends denial of the above referenced petition because the Town of Wascott denied the request.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Zoning Committee and deny the petition.

Dated this 17<sup>th</sup> day of January, 2002.  
(Committee Action: Unanimous)  
(Fiscal Note: None)

ACTION: Motion by C. Johnson, second Coletta, to adopt. Motion carried.

**RESOLUTION #2-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales

WHEREAS, Douglas County has advertised for sale various parcels of land on December 5, 6 and 7, 2001, in accordance with Section 75.69 of the Wisconsin Statutes and the highest bids received are as follows:

- \$ 112,000.00 Parcel 116-01: North 1/2 and Southeast 1/4 of Block 1, East 15<sup>th</sup> Street, Townsite of Superior, Lots 6, 8, 10, 12, 13 and 16, Block 1 McBean Blocks, East 15<sup>th</sup> Street, Lots on East 16<sup>th</sup> Street, Block 3, East 15<sup>th</sup> Street, Townsite of Superior, Blocks 2, 3 and 4, East 17<sup>th</sup> Street, Townsite of Superior and North 1/2 and East 1/2 of Southeast 1/4 of Block 1, East 17<sup>th</sup> Street, Townsite of Superior, known as 3102-32 and 3202-14 East 15<sup>th</sup> Street, 3105-31 East 16<sup>th</sup> Street, 3202-3222 East 16<sup>th</sup> Street, 3101-31 East 17<sup>th</sup> Street, 3201-29 East 17<sup>th</sup> Street, 3102-32 East 17<sup>th</sup> Street, 3202-26 East 17<sup>th</sup> Street, 3125-31 East 18<sup>th</sup> Street, and 3202-31 East 18<sup>th</sup> Street, from Rainy River Energy Corporation. Intended Use: Natural gas fired electric generation facility.
  
- \$ 1,200.00 Parcel 2-02: Lots 22, 23, 24 and 25, Block 14, Carnegie Eastern Division, Village of

Oliver, from Roy Martinson. Intended Use: Owns adjacent property.

\$ 20,601.99 Parcel 3-02: Northwest 1/4 of the Southeast 1/4, Section 27-45-10, Town of Highland, from Larry Coleman. Intended Use: Vacation/cabin.

\$ 30,202.02 Parcel 4-02: Southwest 1/4 of Southeast 1/4, Section 27-45-10, Town of Highland, from Erik Finstad. Intended Use: Recreation.

\$ 5,000.00 Parcel 5-02: Lots 48, 49, 50, 62 and 63, Nakoma Gardens, Town of Parkland, from David Tollers. Intended Use: Home site.

NOW, THEREFORE, BE IT RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute a quit claim deed to the above named persons on the above named properties.

Dated this 17<sup>th</sup> day of January, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$169,004.01))

ACTION: Motion by Conley, second Kallstrom, to adopt. Motion carried.

### **RESOLUTION #3-02**

### **RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sale - Special

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve sale of the following described property, which was previously advertised and did not sell:

\$ 15,000.00 Parcel 70-00: Fraction Lot 1 through Fraction Lot 10, Inclusive, Block 481 and North 24<sup>th</sup> Street and Alley Vacated, West Superior, 21<sup>st</sup> Division, City of Superior, to Tom Jacobson.

BE IT FURTHER RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute a quit claim deed to the above named person on the above named property.

Dated this 17<sup>th</sup> day of January, 2002.

(Committee Action: Unanimous)



(Fiscal Note: Increase “Profit and Loss on Land Sales Account” by \$15,000.00)

ACTION: Motion by Martin, second Allen, to adopt. Motion carried.

**RESOLUTION #4-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sale - Special

WHEREAS, Douglas County has advertised for sale the following parcel of land on December 5, 6 and 7, 2001, in accordance with Section 75.69 of the Wisconsin Statutes:

\$ 1,000.00 Parcel 118-01: Lots 225 through 231 Odd Numbers and Lots 235, 237, and 239, Block 25, Riverview, Lots in Subdivision of Block 25, East 17<sup>th</sup> Street, Lots 226 through 240 (Even Numbers), Block 26, Riverview, Lots in Subdivision of Block 25, East 18<sup>th</sup> Street, Block 25, West 1/2 of Block 27 and 28<sup>th</sup> Street Vacated, East 18<sup>th</sup> Street, Townsite of Superior, Lots 226 through 240 (Even Numbers), Block 26, Riverview, Lots in Subdivision of Block 26, East 19<sup>th</sup> Street and Block 28, East 19<sup>th</sup> Street, Townsite of Superior, known as 3802-08 and 2812-16 East 17<sup>th</sup> Street, 380-1-15 East 18<sup>th</sup> Street, 3802-24 East 18<sup>th</sup> Street, and 3801-31 East 19<sup>th</sup> Street.

WHEREAS, the parcel was advertised with “intent to sell to adjacent property owner”, and

WHEREAS, two bids were received for the property, one from the adjacent owner in the amount of 1,000.00, and one from Walter Pawlikowski in the amount of \$2,500.00, and

WHEREAS, the Land and Development Committee had determined it would sell the property to the adjacent property owner to allow the property owner to be in compliance with city zoning requirements necessary to grant a permit for home remodeling.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Land and Development Committee and sell the above described property to Jeff Laporte, adjacent property owner, for the amount of \$1,000.00.

BE IT FURTHER RESOLVED that the County Clerk be, and she hereby is authorized to execute a quit claim deed to the above named person on the above named property.

Dated this 17<sup>th</sup> day of January, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase “Profit and Loss on Land Sales Account” by \$1,000.00)

ACTION: Motion by James Cosgrove, second Smith, to adopt. Motion carried.

**RESOLUTION #5-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Repurchase of Tax Delinquent Property

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Land and Development Committee and approve the following request to repurchase tax delinquent property, pursuant to Douglas County Ordinance #1.5:

From Robert R. Dowell to repurchase Parcel #806-00070-00, Lots 13, 14 and 15, Block 96, West Superior First Division, and alleys vacated known as 911-915 John Avenue, City of Superior, having paid delinquent taxes and fees in the amount of \$7,324.35.

Dated this 17<sup>th</sup> day of January, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Hooper, second Browne, to adopt. Motion carried.

**RESOLUTION #6-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Transfer of Property to City of Superior

WHEREAS, the City of Superior would like to obtain property to implement the Tower Avenue Streetscape project, highlighting Superior's heritage and history in the shipping industry, and

WHEREAS, the Tower Slip and surrounding property is crucial to achieving the community vision for the area, and

WHEREAS, there are several properties in this area which are county-owned.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Land and Development Committee and transfer the following property to the City of Superior:

Lots 26, 27, and 28, Block 159, except right of way, West Superior, 1<sup>st</sup> Division, City of Superior, known as 138-144 Banks Avenue.

BE IT FURTHER RESOLVED that transfer is contingent upon the City of Superior paying delinquent taxes owing against the property in the amount of \$921.25.

Dated this 17<sup>th</sup> day of January, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$921.25)

ACTION: Motion by Conley, second Kallstrom, to adopt. Motion carried.

### **RESOLUTION #7-02**

## **RESOLUTION AUTHORIZING THE ISSUANCE AND PROVIDING FOR THE SALE OF NOT TO EXCEED \$17,000,000 BOND ANTICIPATION NOTES**

Subject: Authorizing the Issuance and Providing for the Sale of  
Not to Exceed \$17,000,000 Bond Anticipation Notes

WHEREAS, on August 16, 2001, the County Board of Supervisors of Douglas County, Wisconsin (the "County") adopted an initial resolution (the "Initial Resolution") authorizing the issuance of general obligation bonds or promissory notes in an amount not to exceed \$24,000,000 (the "Securities") for the public purpose of paying the cost of financing additional costs related to the acquisition of real estate, the demolition of existing structures and related relocation costs and the construction and equipping of a new law enforcement center and a human services building (the "Project");

WHEREAS, the County Board of Supervisors hereby finds and determines that the Project is within the County's power to undertake and therefore serves a "public purpose" as that term is defined in Section 67.04(1)(b) of the Wisconsin Statutes;

WHEREAS, counties are authorized by the provisions of Chapter 67 of the Wisconsin Statutes to borrow money and issue general obligation bonds or promissory notes for such public purposes;

WHEREAS, by adoption of the Initial Resolution, the County has authorized the issuance and sale of the Securities to provide permanent financing for the Project;

WHEREAS, on November 15, 2001, the County issued a portion of the \$24,000,000 authorized by the Initial Resolution as \$7,000,000 Bond Anticipation Notes, dated December 4, 2001, to pay a portion of the cost of the Project;

WHEREAS, the Securities have not yet been issued or sold;

WHEREAS, it is the finding of the County Board of Supervisors that it is necessary, desirable and in the best interest of the County to provide for the issuance and sale of bond anticipation notes (the "Notes") pursuant to Section 67.12(1)(b), Wisconsin Statutes, in anticipation of receiving the proceeds from the issuance and sale of the Securities to provide interim financing to pay the cost of the Project and to sell the Notes to U.S. Bancorp Piper Jaffray Inc., Milwaukee, Wisconsin, pursuant to the terms and conditions of its note purchase proposal; and,

WHEREAS, none of the proceeds of the Securities or the Notes shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by the property taxes.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. General Obligation Bonds or Promissory Notes. The County hereby declares its intention and covenants to issue general obligation bonds or promissory notes pursuant to the provisions of Chapter 67 of the Wisconsin Statutes, in an amount sufficient to retire any outstanding bond anticipation notes issued for the purpose of paying the cost of the Project (hereinafter, such bonds or notes shall be referred to as the "Securities"). The County has heretofore authorized the issuance of the Securities pursuant to the Initial Resolution.

Section 2. Authorization of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(1)(b) of the Wisconsin Statutes, the principal sum of SEVENTEEN MILLION DOLLARS (\$17,000,000) from U.S. Bancorp Piper Jaffray Inc., Milwaukee, Wisconsin (the "Purchaser") in accordance with the terms and conditions of its note purchase proposal (the "Proposal") as set out in Exhibit B-01-02 and incorporated herein by this reference.

Section 3. Sale of the Notes. To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, bond anticipation notes aggregating the principal amount of SEVENTEEN MILLION DOLLARS (\$17,000,000) (the "Notes") for the sum set forth on the Proposal plus accrued interest to the date of delivery.

Section 4. Terms of the Notes. The Notes shall be designated "Bond Anticipation Notes"; shall be dated February 1, 2002; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; shall mature on December 1, 2002; and shall bear interest at the rate set forth on the Proposal and on the Schedule prepared by the Purchaser and as set out in Exhibit C-01-02. Interest is payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2002.

Section 5. Redemption Provisions. At the option of the County, the Notes shall be subject to redemption prior to maturity on September 1, 2002 or on any date thereafter. Said Notes shall be

redeemable as a whole or in part by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 6. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form as set out in Exhibit D-01-02 and incorporated herein by this reference.

Section 7. Security. The Notes shall in no event be a general obligation of the County and do not constitute an indebtedness of the County nor a charge against its general credit or taxing power. No lien is created upon the Project or other property of the County as a result of the issuance of the Notes. The Notes shall be payable from (a) any proceeds of the Notes set aside for payment of interest on the Notes as it becomes due, and (b) proceeds to be derived from the issuance and sale of the Securities, which proceeds are hereby declared to constitute a Special Trust Fund, hereby created and established, to be held by the County Clerk and expended solely for the payment of the principal of and interest on the Notes. The County hereby agrees that, in the event such monies are not sufficient to pay the principal of and interest on the Notes when due, if necessary, the County will pay such deficiency out of its tax levy or other available funds of the County; provided, however, that such payment shall be subject to annual budgetary appropriations therefor; and provided further, that neither this Resolution nor any such payment shall be construed as constituting an obligation of the County to make any such appropriation or any further payment.

Section 8. Covenants of the County. The County hereby covenants with the holders of the Notes as follows:

- (a) It shall issue and sell the Securities as soon as practicable;
- (b) It shall segregate the proceeds derived from the sale of the Securities into a Special Trust Fund created above and constituted as a special trust fund and shall permit such Special Trust Fund to be used for no purpose other than the payment of principal of and interest on the Notes until paid; and,
- (c) It shall maintain a debt limit capacity such that the combined outstanding principal amount of general obligation bonds or notes or certificates of indebtedness of the County and the \$17,000,000 authorized for the issuance of the Securities shall at no time exceed the constitutional debt limit of the County.

Section 9. Segregated Debt Service Fund Account. There is hereby established in the County treasury a fund account separate and distinct from all other funds or accounts of the County designated "Debt Service Fund Account for \$17,000,000 Douglas County Bond Anticipation Notes dated February 1, 2002", which fund account shall be used solely for the purpose of paying the principal of and interest on the Notes. There shall be deposited in said fund account (i) all accrued interest paid on the Notes at the time the Notes are delivered to the Purchaser; (ii) any proceeds of the Notes representing capitalized interest on the Notes and deposited in the Borrowed Money Fund (hereinafter created), as needed to pay the interest on the Notes when due; (iii) proceeds of the Securities (or other obligations of

the County issued to pay principal of or interest on the Notes) to the extent necessary to pay principal of or interest on the Notes; (iv) such other sums, including tax monies, as may be necessary at any time to pay principal of and interest on the Notes when due and which are appropriated by the County Board of Supervisors for that purpose; and (v) surplus monies in the Borrowed Money Fund as specified in Section 10 hereof. Said Fund shall be used for the sole purpose of paying the principal of and interest on the Notes and shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished, and shall at all times be invested in a manner that conforms with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any applicable income tax regulations (the "Regulations").

Section 10. Segregated Borrowed Money Fund; Reimbursement. The proceeds of the Notes (the "Note Proceeds"), other than any premium and accrued interest which must be paid at the time of delivery of the Notes into the Debt Service Fund Account created above, shall be deposited into an account separate and distinct from all other funds and accounts and disbursed solely for the purposes for which borrowed or for the payment of the principal of and interest on the Notes. Said proceeds may be temporarily invested in legal investments in the manner set forth below.

The County declares its reasonable expectation to reimburse itself from the Note Proceeds for expenditures relating to the Project which it pays from other funds of the County prior to receipt of the Note Proceeds no more than 60 days prior to the date the Initial Resolution was adopted. The County may also reimburse itself for preliminary expenditures relating to the Project (such as architectural, engineering, surveying, soil testing, costs of issuance and similar costs but not including land acquisition, site preparation and similar costs incident to the commencement of construction) which are in an amount which is less than 20% of the issue price of the Notes. This declaration and the Resolution of which it is a part, shall be publicly available in the official books, records or proceedings of the County Board of Supervisors.

Section 11. Arbitrage Covenant. The County shall not take any action with respect to the Note Proceeds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of the delivery of and payment for the Notes (the "Closing"), would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

The Note Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Notes remain outstanding, monies on deposit in any fund or account created or maintained in connection with the Notes, whether such monies were derived from the Note Proceeds or from any other source, will not be used or invested in a manner which would cause the Notes to be "arbitrage bonds" within the meaning of the Code or Regulations. The County covenants that it will not invest in any obligation if such investment would violate the "prohibited payment" requirement of Section 148 of the Code.

The County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide an appropriate certificate of the County, for inclusion in the transcript of proceedings,

setting forth the reasonable expectations of the County regarding the amount and use of the Note Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

Section 12. Additional Tax Covenants; Two Year Expenditure Exemption from Rebate. The County hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Notes) to assure that the Notes are obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes, throughout their term. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Notes, shall provide an appropriate certificate of the County as of the Closing, for inclusion in the transcript of proceedings, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the County to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Notes will continue to be obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes throughout their term.

The County covenants that it is a governmental unit with general taxing powers and that the Notes are not "private activity bonds" as defined in Section 141 of the Code.

In accordance with Section 148(f)(4)(C) of the Code, the County covenants that at least 75% of the available construction proceeds of the Notes shall be used for construction expenditures with respect to property owned by the County as provided in Section 148(f)(4)(C)(iv) of the Code. If at least 10% of the available construction proceeds of the Notes (including investment earnings thereon) are expended for the governmental purposes of the issue within six months of the Closing; at least 45% are expended for such purposes within one year; at least 75% are expended for such purposes within eighteen months; and 100% are expended for such purposes within two years, the Notes will qualify for the two year expenditure exception from the rebate requirements of the Code.

If for any reason the County did not qualify for the two year expenditure exemption from the rebate requirements of the Code, the County covenants that it would take all necessary steps to comply with such requirements.

Section 13. Execution of the Notes. The Notes shall be prepared in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by its fiscal agent, if any, sealed with its official or corporate seal, if any,

or a facsimile thereof and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the delivery of the Notes, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute all documents as may be necessary and convenient to effectuate the Closing.

Section 14. Payment of the Notes. The principal of and interest on the Notes shall be paid in lawful money of the United States of America by the County Clerk or County Treasurer.

Section 15. Persons Treated as Owners; Transfer of Notes; Record Date. The County shall keep books for the registration and for the transfer of the Notes. The persons in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the County Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall cancel any Note surrendered for transfer.

The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes. Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the County at the close of business on the corresponding record date.

Section 16. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 17. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the holders of the Notes, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the



Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. This Undertaking shall be enforceable by the holders of the Notes or by the Purchaser on behalf of such holders (provided that the rights of the holders and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations hereunder and any failure by the County to comply with the provision of this Undertaking shall not be an event of default with respect to the Notes).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 18. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Dated this 17<sup>th</sup> day of January, 2002.  
(Committee Action: Unanimous)  
(Fiscal Note: \$17,000,000)

ACTION: Motion by Coletta, second John O'Brien, to adopt. Koszarek remarked that the interest rate is at about 2.75 percent. Discussion followed on the resulting savings, and how this finances the building project and debt service. Roll call vote taken and passed with 24 Ayes, 4 Noes, 2 Absent. Voting no were Pinkoski, Browne, C. Johnson, and John Cosgrove. Absent were Glenn and Zukowski.

**RESOLUTION #8-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Telephone Service Agreement By and Between City of Superior and Douglas County

RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee, and approve the Telephone Service Agreement By and Between the City of Superior and Douglas County (Exhibit E-01-02).

Dated this 17<sup>th</sup> day of January, 2002.  
(Committee Action: Unanimous)  
(Fiscal Note: None)

ACTION: Motion by Quam, second Robinson, to adopt. Motion by Olson, second Hooper, to amend agreement adding to paragraph six the following: "The monthly service charge of \$26 would be based on the number of telephone lines needed by the City and could fluctuate above or below the estimated 144 lines." Motion carried. Motion to adopt resolution carried.

**RESOLUTION #9-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Non-Represented Employees Wage Increase

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee, and approve a 3% salary increase effective January 1, 2002, for all non-represented employees.

Dated this 17<sup>th</sup> day of January, 2002.  
(Committee Action: Unanimous)  
(Fiscal Note: \$119,686.00 within 2002 budget)

ACTION: Motion by Kallstrom, second Ryan, to adopt. Discussion followed about how there may not be any increases in this category next year, noting union contracts dictate union rates, but not the non-represented employees. It was further noted that with no inflation on the horizon, any increases need to more closely reflect inflation levels. The Chairman clarified that this 3% increase does not affect County Board Supervisors. Motion carried.

**RESOLUTION #10-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Acting Human Services Director

WHEREAS, the Administration Committee makes the recommendation to hire Patricia Schanen as the Acting Human Services Director for an interim period from January 1, 2002 to June 30, 2002, until the Acting Administrative Coordinator position is confirmed or if he elects to return to the Human Services Director position, and

WHEREAS, the Administration Committee further recommends that, if Patricia Schanen determines at any time during this trial period that she is no longer interested in performing the duties as the Acting Human Services Director, she will retain the privilege of resuming her regular duties as the Assistant Human Services Director, at the same level of pay and benefits that she would have progressed to had she stayed in the position of the Assistant Human Services Director.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors accept

the recommendation of the Administration Committee and approve the interim hire of Patrician Schanen as the full time Acting Human Services Director as follows:

Position Title: Acting Human Services Director  
Status: Full-time, exempt.  
Trial Period: Six months (January 1, 2002 to June 30, 2002)  
Compensation: Salary: \$5,440.75 monthly (\$65,289 annually) Classification D72 Step 8+.  
Benefits: No changes will occur in the county benefit package currently covering this employee, except as those outlined above.

Dated this 17<sup>th</sup> day of January, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Martin, second James O'Brien, to adopt. Chairman Finn stated the salary needs to be corrected to \$62,180, without the merit. Motion by Conley, second Quam, to amend salary to \$62,180, at a Step 8. Motion carried. Motion to adopt resolution, as amended, carried.

#### **RESOLUTION #11-02**

#### **RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Acting Assistant Human Services Director

WHEREAS, the Administration Committee makes the recommendation to hire Kate Peterson as the Acting Assistant Human Services Director for an interim period from January 1, 2002 to June 30, 2002 until the Acting Human Services Director position is confirmed or if he elects to return to the Human Services Director position, and

WHEREAS, the Administration Committee further recommends that, if Kate Peterson determines at any time during this trial period that she is no longer interested in performing the duties as the Acting Assistant Human Services Director, she will retain the privilege of resuming her regular duties as the Social Work Supervisor at the same level of pay and benefits that she would have progressed to had she stayed in the position of Social Work Supervisor.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve the interim hire of Kate Peterson, as the full time Acting Assistant Human Services Director as follows:

Position Title: Acting Assistant Human Services Director  
Status: Full-time, exempt  
Trial Period: Six months (January 1, 2002 to June 30, 2002)  
Compensation: Salary: \$4,584.92 monthly (\$55,019 annually) Classification D62 Step 8, from 1,950

hours to 2,080 annual hours

Benefits: No changes will occur in the county benefit package currently covering this employee, except as those outlined above.

Dated this 17<sup>th</sup> day of January, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Kallstrom, second Ryan, to adopt. Motion carried.

**RESOLUTION #12-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Forestry Department Seasonal Workers Wage Rates

WHEREAS, Resolution #132-01 established wage rates for Forestry Department Seasonal Lead Workers at \$9.00 per hour, with a rehiring bonus of \$0.25 the second year to \$9.25 (2003), and \$0.50 the third year to \$9.75 (2004); and for Seasonal Laborers at \$7.00, with a rehiring bonus of \$0.25 to \$7.25 the second year (2003) and \$0.50 to \$7.75 the third year (2004), and

WHEREAS, the wage amounts in the resolution are incorrect, with the rehiring bonus amounts not applied as intended, and

WHEREAS, it was initially the intent, and presented through the committee process, that the base wage amounts would remain the same for first year workers and bonus amounts would apply to prior service, to and including the 2001 season.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and approve the following wage rates for Forestry Department Seasonal Workers, effective January 1, 2002:

1. Seasonal Lead Workers - Base wage of \$9.00 per hour for first year workers; \$9.25 for second year workers; \$9.50 for third year workers; and
2. Seasonal Laborers - Base wage of \$7.00 per hour for first year workers; \$7.25 per hour for second year workers; \$7.50 for third year workers.

Dated this 17<sup>th</sup> day of January, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Hooper, second John Cosgrove, to adopt. Motion carried.

**RESOLUTION #13-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Lease Amendment Between Gold Cross Ambulance and Douglas County for the Superior  
Ambulance Garage

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee, and approve Amendment of Lease between Douglas County and Gold Cross Ambulance Service, Inc. (Exhibit F-01-02).

Dated this 17<sup>th</sup> day of January, 2002.  
(Committee Action: Unanimous)  
(Fiscal Note: None)

ACTION: Motion by Coletta, second Olson, to adopt. Felker explained that the lease requires Gold Cross take care of maintenance and repairs, including structural. Lease ends December 31, 2006, at which time Gold Cross must exercise the purchase option. Regarding the question of purchase price, Felker indicated it was set out in the original lease at \$125,000, and follows an amortization schedule which is at about \$102,000 right now. Motion carried.

**RESOLUTION #14-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Budgetary Transfers

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and approve the following transfers:

- (1) Zoning - \$13,449.00 (J.E. #93555) - Year end over/under budget. No fiscal impact.);
- (2) Emergency Management - \$5,514.20 (J.E. #93554 - Year end over/under budget. No fiscal impact.);
- (3) Veterans - \$6,243.00 (J.E. #93552 - Year end over/under budget. No fiscal impact. Primarily to cover extra \$4,730 in van repairs.);
- (4) Human Services - \$24,915.00 (J.E. #93551 - State Contract change COP-W GPR Funds.);
- (5) Treasurer - \$635.00 (J.E. #93590 - Year end over/under budget. No fiscal impact.);
- (6) County Clerk - \$3,806.00 (J.E. #93592 - Year end over/under budget in election account. No fiscal impact.);
- (7) Highway - \$80,468.28 (J.E. #93556 - Transfer remainder of the reserve for STP projects.);

- (8) Land Records - \$16,700.00 (J.E. #93712 - Year end over/under budget. No fiscal impact.).

Dated this 17<sup>th</sup> day of January, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

(Administrative Note: Two-thirds vote of Board-elect required)

ACTION: Motion by Shepard, second C. Johnson, to adopt. Roll call vote taken and passed with 28 Ayes, 0 Noes, 2 Absent. Absent were Glenn and Zukowski.

**RESOLUTION #15-02**  
**RESOLUTION BY SUPERVISOR CAROL JOHNSON**

Subject: Surveyor Contract for 2002

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of Supervisor Carol Johnson and approve contract with Ken Olson for surveying services for the year 2002, as follows:

Contract Fee: \$700.00 per month.

Hours: 10:00 a.m. to 2:00 p.m., every Monday (except when Courthouse is closed, the following work day). Also required to attend necessary meetings.

Effective Date: January 1, 2002 - December 31, 2002

Dated this 17<sup>th</sup> day of January, 2002.

(Fiscal Note: \$8,400.00; within budget)

ACTION: Motion by C. Johnson, second McKenzie, to adopt. Motion by Coletta, second Hooper, to amend motion and have it sponsored by the entire County Board. Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #16-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Opposition to Senate Bill 232 and Assembly Bill 294

WHEREAS, under the current fair employment law, if an employer is found to have refused to hire an individual, terminated an individual's employment, or discriminated against an individual in promotion,

compensation, or in terms, conditions, or privileges of employment on the basis of the individual's age, race, creed, color, disability, marital status, sex, national origin, ancestry, arrest or conviction record, membership in the national guard or military reserves, or use or nonuse of a unlawful product during nonwork hours, the Department of Workforce Development, may order the person to take such action as will effectuate the purpose of the fair employment law, and

WHEREAS, that action may include reinstating the employee, providing back pay for not more than two years before the filing of the complaint, costs, and attorney fees, and

WHEREAS, 2001 Senate Bill 232 and Assembly Bill 294 would require employers to pay both compensatory and punitive damages where an Administrative Law Judge determines that discrimination based on sex, race, color, national origin, or ancestry has occurred, and

WHEREAS, there are no limits as to the amount an Administrative Law Judge can award for compensatory and punitive damages and such damages may be awarded even in cases of an unintentional discrimination, and

WHEREAS, unlike the federal law which exempts municipal employers from liability for punitive damages, 2001 Senate Bill 232 and Assembly Bill 294 contain no such exemption, and

WHEREAS, 2001 Senate Bill 232 and Assembly Bill 294 provide for payment to the Department of Workforce Development of an assessment equal to 10% of the amount of compensatory and punitive damages ordered which must be used for the administration of the fair employment law, and

WHEREAS, this assessment goes directly back into the department the Administrative Law Judge works for; and

WHEREAS, the passage of this bill could have a significant negative impact on all employers, including counties throughout the State of Wisconsin.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors strongly opposes 2001 Senate Bill 232 and Assembly Bill 294 which would allow the awarding of compensatory and punitive damages under the Wisconsin Fair Employment Act.

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Senator Robert Jauch, Representative Frank Boyle, Governor Scott McCallum, WCA Executive Director, and all other Wisconsin counties.

Dated this 17<sup>th</sup> day of January, 2002  
(Committee Action: Unanimous)

ACTION: Motion by Coletta, second Browne, to adopt. Motion carried.

Motion by Quam, second Martin, to allow resolution not on agenda. Motion carried.

**RESOLUTION #17-02**  
**RESOLUTION BY SUPERVISORS FINN AND HOOPER**

Subject: Northwestern Wisconsin Technology Development Zone

WHEREAS, the Wisconsin legislature has directed the Department of Commerce to establish eight (8) technology development zones in Wisconsin, and

WHEREAS, each of these zones will offer up to \$5 million in tax breaks to businesses that make high technology investments or expansions, and

WHEREAS, the Development Association, Inc. and Superior Business Improvement District have joined with similar organizations in Ashland, Iron, Bayfield, Washburn and Burnett counties to create a technology development zone in Northwestern Wisconsin, and

WHEREAS, efforts are already underway by several groups, including the Superior Business Center, to attract and encourage high technology businesses in the area.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors supports the joint efforts of this six (6) county group to apply for and work cooperatively to have this area designated as one of the Wisconsin Technology Development Zones, and encourages other entities in Douglas County to become partners and assemble the expertise and documentation needed to complete the State's request for the proposal.

Dated this 17<sup>th</sup> day of January, 2002.

ACTION: Motion by Hooper, second Prettie, to adopt. Motion by Hooper, second McKenzie, to amend the resolution so it is sponsored by entire County Board. Motion carried. Motion to adopt resolution, as amended, carried.

**ADMINISTRATIVE COORDINATOR REPORT**

Koszarek had nothing to report at this time.

**COUNTY BOARD CHAIR REPORT AND APPOINTMENTS**

Chairman Finn indicated he believed last night's meeting with the City of Superior's Common Council was productive. He has already met with Mayor Kotter on the building project, and a plan is going forward



to study how more cooperation can be attained. They are looking for individuals to help negotiate issues between the city and county.

The following appointment was recommended: Superior/Douglas County Sesquicentennial Committee - Lew Martin. 2004 is anniversary of city and county. City of Superior and Douglas County both established in 1854. Chairman Finn announced a public meeting will be held on February 6, 10:00 a.m. at WITC, if anyone is interested in participating with ideas on how to celebrate 2004. Motion by John Cosgrove, second Coletta, to approve Martin's appointment. Motion carried.

Board members were reminded to get Superior Days information back to Chairman Finn soon.

Martin encouraged board members to read the headlines regarding joint meetings of legislature going on in the state, and noted state budgets in trouble too. Unfunded mandates are hurting counties. He suggested this be brought up as part of Superior Days program.

### **COMMITTEE REPORTS**

Jack O'Brien, Buildings and Grounds Committee, reported on progress of the building project, and enumerated the work currently underway by each contractor. A total of 98 people are on the job.

Coletta, Board of Health, reported that Home Health Care has preliminary surplus figure of \$60,000. Total Health Department should be about \$125,000 surplus. Each department looking at the 5% reduction right now, which will be a struggle, but any reduction can positively impact levy in 2003.

Koszarek noted that all department heads were asked at a recent meeting, to begin looking at how to cut 3 to 5 % of their budgets. Responses at that meeting ran the gamut, and some good ideas were discussed, such as cutting operational costs and various approaches. Kozarek stated individual departmental proposals to meet the 5% cut, should be ready for the next County Board meeting,

McKenzie, Aging Resource Center, reported over 90,000 meals served in 2001, which is a record. Also, through a specialized grant, the Center now has video conferencing equipment in place at the Superior Public Library. She encouraged utilization of the equipment by the County when possible.

McKenzie, Land Conservation Committee, reported the committee met last week and a presentation on native plants for shoreland preservation was part of the agenda. List of plants is available from the Land Conservation office in Ashland.

C. Johnson, Zoning Committee, reported the Land Use Plan will be presented at public hearings on February 9<sup>th</sup> in Gordon, and February 13<sup>th</sup> in Maple. Also, a working session dealing with the Shoreland Ordinance, is going to be scheduled for the full County Board. Date will be announced.

**APPROVAL OF BILLS AND CLAIMS:** Motion by C. Johnson, second Kallstrom, to approve. Motion carried.

**SUCH OTHER MATTERS AS AUTHORIZED UNDER THE WISCONSIN STATUTES:**

Jack O'Brien questioned the progress on merging of Health and Human Services Departments. Koszarek responded that report not completed as yet, as surveys not back and some going out still. With new Human Services Director, they want to include some additional people in the information gathering phase. Significant contacts have been made.

James O'Brien announced a new program offered through St. Mary's Hospital, for men over 55 years of age, regarding prostate cancer detection program. Call St. Mary's for more information.

W. Johnson attended a recent Towns Association meeting regarding Comm 83, and was asked to bring a resolution on development of a Technical Advisory Committee before the County Board. Purpose of the Technical Advisory Committee would be to develop an ordinance(s) regulating the design, installation, operation, maintenance, repair, and replacement of private on-site wastewater treatment systems (POWTS) within Douglas County. He is looking for Board members interested in sponsoring the resolution with him, or possibly a committee/subcommittee. Discussion followed. Bill Waleski, who has been working on this, addressed the Board with the recommendation that members of the public serve on any committee working to develop a plan for the resolution. Time frame for getting this done is critical. Motion by Coletta, second Olson, to refer the Technical Advisory Committee formation resolution to the Executive Committee. Motion carried.

**ADJOURNMENT** - Motion by McKenzie, second Martin, to adjourn. Motion carried. Meeting adjourned at 7:20 p.m. Next regularly scheduled meeting - Thursday, March 21, 2002.

Submitted by,

Susan T. Sandvick  
Douglas County Clerk

**PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS**  
**Thursday, March 21, 2002 - 6:00 p.m., City-County Complex Chambers**  
**1409 Hammond Avenue, Superior, Wisconsin**

Meeting called to order by Chairman Douglas Finn.

Pledge of Allegiance recited.

Roll call taken by County Clerk Susan T. Sandvick. There were 23 present, 6 absent/excused, and 1 absent. Absent and excused were Allen, Eckman, Zukowski, Kallstrom, Wes Johnson, Carol Johnson. Absent was Pinkoski. Pinkoski arrived at 6:10 p.m.

Motion by Shepard, second McKenzie, to approve minutes of the January 17, 2002 meeting. Motion carried.

**CLAIMS AGAINST THE COUNTY**

Notice of claim from Attorney Chris A. Gramstrup, on behalf of Mary A. Young, Claimant, alleging failure of Douglas County Child Support Office to enforce an order for child support and to collect arrearages. (Disallowance recommended by insurance company.) Motion by Coletta, second James O'Brien, to disallow the claim. Motion carried.

**CORRESPONDENCE**

1. Wisconsin Public Service Commission, hearing notice on Municipal Electric Utilities of Wisconsin petition to revise Wis. Admin. Code, PSA113. Received and placed on file.
2. Resolutions from Winnebago and Lincoln Counties on enactment of legislation to allow additional court costs to be used for court security fund statewide. Referred to Judiciary, Legislative, & Veterans Committee, Law Enforcement Committee, Security and Facilities Committee.
3. Resolution by Ozaukee County regarding exemption from county library tax. Referred to Administration Committee.
4. Wisconsin Public Service Commission, application of Rainy River Energy Corporation-Wisconsin, for authority to construct a large generating facility and associated high voltage transmission, and natural gas facilities in the City of Superior. Received and placed on file.
5. Wisconsin DNR, notice of proposed pipeline construction grading permit for various areas throughout Douglas County, submitted by Lakehead Pipe Line Company for upgrade of their natural gas pipeline system. Received and placed on file.

6. Northwest Regional Planning Commission, list of Douglas County projects included in 2002 comprehensive economic development strategy. Received and placed on file.
7. Wisconsin DNR, notice of severance share on wood products cut from Douglas County Forest Lands. Referred to Forest, Parks and Recreation Committee.
8. Wisconsin Department of Administration, announcement of housing funds availability for 2002. Referred to Human Services Board and Rural Housing Authority.
9. School District of Maple, discontinuance of contract with Douglas County for a school liaison officer, after current contract expires on June 7, 2002, due to budget constraints. Referred to Law Enforcement Committee.
10. Wisconsin DNR, preliminary determination on an air pollution control permit to construct and permit to operate air contaminant source at Superior. Received and placed on file.
11. Wisconsin DOT, list of projects in Douglas County proposed in the 2002-2007 Six-Year Highway Improvement Program. Referred to Highway Committee.
12. Resolution from Washington County, Pennsylvania, supporting House Joint Resolution 81, an amendment to U.S. Constitution restoring freedom to pray. Referred to Judiciary, Legislative & Veterans Committee.
13. Wisconsin Emergency Management, FY1999 Domestic Preparedness Equipment Sub-grant Availability. Referred to Law Enforcement Committee.
14. Wisconsin DNR, proposed state purchase of private land for the North Country National Scenic Trail in Town of Superior. Referred to Land and Development Committee.
15. Government Finance Officers Association, notice of certificate of achievement for excellence in financial reporting awarded to Douglas County for fiscal year 2000. Referred to Administration Committee.
16. Superior Public Museums, Inc., annual report 2001. Referred to Administration Committee.
17. Governor Scott McCallum, invitation to attend 35<sup>th</sup> Annual Governor's Conference on Emergency Management, April 9 - 10, 2002. Referred to Law Enforcement Committee.
18. Army Corps of Engineers, report on condition of Duluth-Superior Harbor federal navigation channel. Received and placed on file.

19. Resolution from Brown County on state funding for long-term mental health inpatient hospitalizations at state institutions. Referred to Human Services Board.

Correspondence not on agenda:

20. Department of Natural Resources, permit application to operate existing air pollution source at Koppers Industries, Inc., Superior, Wisconsin. Received and placed on file.
21. Wisconsin Department of Health and Family Services, notification that Douglas County's Fiscal Year 2000 single audit report has been met satisfactorily. Received and placed on file.
22. M/M Richard Davey, Bennett, Wisconsin, letter applauding County Board for opposition to Arrowhead-Weston Transmission Line Project. Received and placed on file.
23. Douglas County Council on Child Protection, invitation to April 2, 2002 press conference designating April 3<sup>rd</sup> as "'Celebrate Children Day.'" Received and placed on file.
24. Fred Anderson, Gordon, Wisconsin, article on private rights as related to shoreland regulations. Referred to Zoning Committee.
25. Tom O'Neill, Head of the Lakes Fair, Superior, Wisconsin, regarding appointment of Racing Board of Directors. Received and placed on file.
26. Wisconsin Department of Public Instruction, comments and results of local community dialogue meeting on school finance. Received and placed on file.

## **PRESENTATIONS**

Supervisor Hooper presented the Employee of the Quarter Award to Rolfe Jacobson, Buildings and Grounds Department employee assigned to the Highway Department. Recommended by Highway Commissioner Paul Halverson and the staff of the Highway Department, Halverson spoke of Rolf's professionalism and dedication to his work with the County. Rolfe Jacobson and several members of his family were present. He thanked the Board and the County for this recognition, and added how proud he was to work for the County. Director of Buildings and Grounds, Mike Strauman, spoke of Jacobson as an inspiration to all who work with him.

Naomi Stein, Lake Superior Community Health Center, updated the Board on the Center's programs. She recognized the County Board as a tremendous support to the Health Center, and indicated the Center served over 1300 in Superior/Douglas County, for a total of 4400 visits. As it was the first year in Superior, the numbers demonstrated how many unmet needs exist in the County. Of the client base over age of 19, 70% of the patients are working individuals without health insurance. About 75% of total client base are without insurance, and don't qualify for Badger Care, Medicaid, Medical Assistance, etc. State

funding to community health centers will be cut under the Governor's budget proposal. Federal dollars have been solid and a good base for health care centers, as President Bush is strongly supportive of the programs throughout the county. Referring to the needs in Superior/Douglas County, Stein asked Supervisors to promote the Center's services when they hear of people who are in need of health care and have no provider access.

James Litwin, Construction Project Manager, was not present to give a progress report on Metro Center project. Koszarek briefly summarized the project's progress, stating it is on time and under budget according to Litwin. The contingency fund is being used more heavily than originally anticipated. A problem surfaced in the jail - a supervision pod's height was lower than it was supposed to be, and the error will be fixed with no cost to the County. Other than this, a more detailed budget report is forthcoming. Finance Director and Construction Manager are working on reconciliation of bills. Figures up to 2001 indicate thus far, a difference of about \$66,000 between Litwin and Kroll. Brief discussion followed on furniture purchases. McKenzie asked Koszarek when several line items in the budget were moved into the contingency fund, and to research this to see if these changes were approved or needed to be approved by the County Board. Koszarek indicated \$800,000 was taken out of line items and put into contingency, including FF&E, Communications Center equipment, and jail video visitation. His understanding was that the Buildings and Grounds Committee has authority to move the line items around as long as it stays within the budget. Koszarek indicated the figure used consistently since last summer for the County's portion of the Communications Center would be approximately \$400,000. He stated the City is also feeling pressure on this, with budgets being tight and loss of revenues, but they have been cooperative on all of it. It looks like the figure may be more than the \$400,000. Discussion on the FF&E budget followed. Rumors are flowing, such as FF&E dollars not in the budget or contingency, and Olson strongly recommended if Supervisors hear rumors like this, to call Koszarek and get the correct answers. FF&E dollars are covered in the contingency fund. Olson noted he toured the building this week, and it is a well constructed, an awesome building that he believes people in the community in years to come will be well served. Next Tuesday at 8:30 a.m. another tour is scheduled. Sign up sheets are in the Buildings and Grounds Department.

## **ORDINANCES**

### **AMENDMENT TO ORDINANCE #8.0 ZONING ORDINANCE PRESENTED BY THE ZONING COMMITTEE**

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF DOUGLAS DOES ORDAIN AS FOLLOWS:

WHEREAS, the Douglas County Zoning Committee held a public hearing on February 14, 2002, on the following petitions for amendment of the county zoning district ordinance map:

- (1) Part of the SW1/4 of the SE1/4; Part of the S1/2 of the NW1/4 of the SE1/4; in Part of the SE1/4 of the SE1/4; and in Part of the S1/2 of the NE1/4 of the SE1/4, Section 36, Township 44 North, Range 13 West, Town of Gordon, from F-1: Forestry to R-1: Residential, from Firehill Golf Course (Bradley J. Essen), 11658 S. Ossmann Rd., Solon Springs, Wisconsin. Intended Use: Golf Course Expansion.
- (2) The NE1/4 of the SE1/4; Part of the S1/2 of the SE1/4 of the NE1/4; Part of the NW1/4 of the SE1/4; Part of the SE1/4 of the SE1/4; Part of the SE1/4 of the SW1/4 and Part of the SE1/4 of the SE1/4 of Section 19; Part of the NW1/4 of the SW1/4 of Section 20; Part of the NE1/4 of the NE1/4, the NW1/4 of the NE1/4; Part of the SW1/4 of the NE1/4; Part of the NE1/4 of the NW1/4; Part of the SE1/4 of the NW1/4; Part of the NW1/4 of the SE1/4; Part of the NE1/4 of the SW1/4; Part of the NW1/4 of the SW1/4; Part of the SW1/4 of the SW1/4 of Section 30 all in Township 44 North, Range 11 West, Town of Gordon, from F-1: Forestry to A-1: Agriculture, from Northland Cranberries, Inc., P.O. Box 8020, Wisconsin Rapids, Wisconsin. Intended Use: Cultivation of Cranberries.

WHEREAS, petition number (2) corrects a previous legal description contained in the petition for amendment of the county zoning district ordinance map, submitted by Northland Cranberries, Inc., and approved by the County Board on December 20, 2001, and

WHEREAS, the Douglas County Zoning Committee held a public hearing on March 14, 2002, on the following petition for amendment of the county zoning district ordinance map:

- (3) Part of the NW1/4 of the NW1/4, (4846 S. County Road F), Section 2, Township 47 North, Range 11 West, Town of Maple, from C-1: Commercial to R-1: Residential, from Eric Frostman & Christine Prevost, P.O. Box 183, Superior, Wisconsin. Intended Use: Residential Use.

WHEREAS, proof of publication of the notice of the public hearings, proof of giving notice to the town clerks of the hearings, and correspondence from the towns is as shown on Exhibit A-3-02.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Zoning Committee and approve the petitions.

BE IT FURTHER RESOLVED, that the previous action of the County Board, approving amendment of the county zoning district ordinance map for Northland Cranberries, Inc., on December 20, 2001, is hereby repealed.

BE IT FURTHER RESOLVED, that the County Clerk notify the town clerks of the action.

Dated this 21<sup>st</sup> day of March, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Coletta, second Hooper, to adopt. Motion carried.

## **RESOLUTIONS**

### **RESOLUTION #18-02**

#### **RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales

WHEREAS, Douglas County has advertised for sale various parcels of land on January 7, 9, and 11, 2002 in accordance with Section 75.69 of the Wisconsin Statutes and the highest bids received are as follows:

- \$ 17,202.00 Parcel 6-02: South ½ of Southeast 1/4 of Northwest 1/4 and Northeast 1/4 of Southwest 1/4, Section 23-48-13, Town of Parkland, from Erik Finstad. Intended Use: Hunting/Recreation.
- \$ 1,810.00 Parcel 7-02: Northeast 1/4 of Northeast 1/4 of Southeast 1/4, Section 9-48-14, Town of Superior, from Lakehead Blacktop & Materials. Intended Use: Future business expansion.
- \$ 4,000.00 Parcel 11-02: Lots 101, 103, 105, and 107, West 9<sup>th</sup> Street, City of Superior, known as 2721-27 East 9<sup>th</sup> Street, from Edward Kelly. Intended Use: Addition to land.

NOW, THEREFORE, BE IT RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute a quit claim deed to the above named persons on the above named properties.

Dated this 21<sup>st</sup> day of March, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$23,012.00)

ACTION: Motion by Martin, second Glenn, to adopt. Motion carried.

### **RESOLUTION #19-02**



**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales - Special

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve sale of the following described properties, which were previously advertised and did not sell:

- \$ 8,000.00 Parcel 8-01: North ½ of Northwest 1/4 of Southeast 1/4, Section 12-48-15, Village of Oliver, to H. Richard Theien. Intended Use: Recreation.
- \$ 8,000.00 Parcel 8A-01: South ½ of Northwest 1/4 of Southeast 1/4, Section 12-48-15, Village of Oliver, to H. Richard Theien. Intended Use: Recreation.
- \$ 2,500.00 Parcel 63-01: South 75 feet of the West 100 feet of Northwest 1/4 of Block 14, West 11<sup>th</sup> Street, Town of Superior, to Steven Doolittle. Intended Use: Future building site for home.

BE IT FURTHER RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute a quit claim deed to the above named persons on the above named properties.

Dated this 21<sup>st</sup> day of March, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase “Profit and Loss on Land Sales Account” by \$18,500.00)

ACTION: Motion by Glenn, second James Cosgrove, to adopt. Motion carried.

**RESOLUTION #20-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Repurchase of Tax Delinquent Property

RESOLVED, that the Douglas County Board of Supervisors accept the recommendations of the Land and Development Committee and approve the following requests to repurchase tax delinquent properties, pursuant to Douglas County Ordinance #1.5:

- (1) From Susan M. Avis, to repurchase Parcel #03-803-00753-00, Lot 12, Block 60, West Superior Fifth Division, known as 723 Weeks Avenue, City of Superior, having paid delinquent taxes and fees in the amount of \$3,082.78, and
- (2) From David and Kara M. Nevin, to repurchase Parcel PA-024-00681-00, Part of the NW1/4 of the NE1/4, North of Right-of-Way, Section 35-48-13, Town of Parkland, having paid delinquent taxes and fees in the amount of \$3,502.51.

Dated this 21<sup>st</sup> day of March, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Conley, second Hooper, to adopt. Motion carried.

**RESOLUTION #21-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Transfer of 1102 Tower Avenue to City of Superior

WHEREAS, on October 23, 2001, Douglas County took a tax deed to 1102 Tower Avenue (former Palace Theater), and

WHEREAS, the property is vacant, deteriorating and in danger of condemnation, and

WHEREAS, the City of Superior is desirous of acquiring ownership of the property, with the city's intent to redevelop the property in conjunction with a private developer, resulting in added tax base, jobs, and improved aesthetics, and

WHEREAS, the County Board referred transfer of this property back to committee from the December 20, 2001 County Board meeting, with the committee to discuss possible alternatives with one of the former owners who was a partner in the property, and

WHEREAS, the Land and Development Committee did meet and recommended the former owner and City of Superior come to some sort of agreement in regard to the property, and

WHEREAS, the former owner and the City of Superior have not reached an accord on possible alternatives.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and transfer the following property to the City of Superior:

Lots 27, and 28, Block 123, West Superior, 1<sup>st</sup> Division, City of Superior (Parcel #806-00318-00), known as 1102 Tower Avenue.

BE IT FURTHER RESOLVED that transfer of this property is contingent on the City of Superior agreeing that upon any future sale of the property, the city pay the delinquent taxes in the amount of \$7,549.71, and half of any profit received to Douglas County.

Dated this 21<sup>st</sup> day of March, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Possible loss of \$7,549.71 delinquent tax reimbursement)

ACTION: Motion by Glenn, second John Cosgrove, to adopt. McKenzie asked if the amount owed Douglas County will be placed on the deed. County Clerk Sandvick was not certain, but stated a means to track this will be found. Cliff Knettel, City Planning and Development Director, addressed the Board, noting that this is a longstanding project the City, County, Chamber and BID will work on as a renovation project. It has a great deal of support throughout the County. It will be a difficult project, but the City is moving forward enthusiastically. Prettie stated she was in Sheboygan a few years ago, and again recently, and that that community did a wonderful job on a similar renovation project. Conley indicated he is extremely pleased that the City has taken on this task, and questioned whether the City will be looking for an individual developer, or if it will be a municipal ownership. Knettel responded this is not clear as yet, but the City does have the MainStreet project, and grant sources that are available to municipalities, plus some corporate citizens interested in supporting the project. Motion carried.

**RESOLUTION #22-02**  
**RESOLUTION BY THE EXECUTIVE COMMITTEE**

Subject: COMM 83 Private Onsite Waste Treatment System (POWTS)  
Advisory Committee for Douglas County

WHEREAS, the Wisconsin Department of Commerce has promulgated rules regulating the design, installation, operation, maintenance, repair, and replacement of Private Onsite Waste Treatment Systems (POWTS), commonly known as Comm 83, consisting of Department of Commerce Administrative Rule 83 and related rules 81 through 85 and others; and

WHEREAS, the Douglas County Board of Supervisors has received numerous communications from the public that express concern regarding the enforcement of Comm 83 within Douglas County, Wisconsin, and

WHEREAS, the Douglas County Board of Supervisors has received communications from the Douglas County Towns Association expressing opposition to the enforcement of Comm 83 within Douglas

County, Wisconsin, and

WHEREAS, the Douglas County Board of Supervisors has concerns over the financial impact of Comm 83 to the county and individual landowners, and

WHEREAS, the Douglas County Board of Supervisors has concerns over government intrusion of private property rights, and

WHEREAS, the Douglas County Board of Supervisors believes that reasonable and justifiable regulations are needed for the design, installation, operation, maintenance, repair and replacement of POWTS within Douglas County, Wisconsin, for the protection of the health and welfare of its citizens and the protection of its surface and ground waters, and

WHEREAS, the Douglas County Board of Supervisors believes that any law, administrative rule, or ordinance regulating the design, installation, operation, maintenance, repair, and replacement of POWTS should:

- ! Respect the rights of private property owners;
- ! Allow for the installation of all safe and reliable POWTS;
- ! Allow for the most economical POWTS design, installation, maintenance, repair, and replacement alternatives available providing they are proven to be safe and reliable;
- ! Provide for a scientifically supported definition of a failing POWTS;
- ! Allow for the repair of existing systems without requiring replacement of the entire system providing the repair assures that the POWTS is operating in a safe and reliable manner.

NOW, THEREFORE BE IT RESOLVED, that the Douglas County Board of Supervisors directs the Board Chair to appoint a Douglas County POWTS Advisory Committee to develop and recommend a policy that regulates the design, installation, maintenance, operation, repair, and replacement of POWTS within Douglas County, Wisconsin.

BE IT FURTHER RESOLVED, that the Douglas County POWTS Advisory Committee be composed of:

- ! 2 Douglas County Board Supervisors
- ! 1 Douglas County Health Department Employee
- ! 1 Douglas County Planning and Zoning Department Employee
- ! 2 Douglas County Towns Association Representatives
- ! 2 Douglas County Citizens
- ! 1 Professional Engineer
- ! 1 Master Plumber
- ! 1 Licensed Building Contractor

Dated this 21<sup>st</sup> day of March, 2002.  
 (Committee Action: Unanimous)  
 (Fiscal Note: None)

**ACTION:** Motion by Coletta, second Olson, to adopt. Finn explained that a couple months ago Wes Johnson brought forward a draft resolution that was re-drafted and taken up by the Executive Committee, which brings it forward to the Board, with the condition it be approved by the Towns Association. The Towns Association met last Tuesday and accepted the resolution; however, one person asked that the Towns Association have veto power on any appointments. Finn indicated, and the Board agreed, that this is not the process, but that the list he compiles will be provided to the Towns Association. Conley indicated that he finds this all quite amusing and confusing, in that the County has taken a position in the past against Comm 83. He asked if the County needs to revisit Comm 83, and what parameters there are in regards to Comm 83. Hooper, who attended a teleconference with the authorities on this issue in Madison, stated the group addressed Douglas County's concerns with inspection required for new construction. The response received was the County could tweak the ordinance a bit, and it may fly. McKenzie indicated that St. Louis County has a technical committee who used meetings with towns to develop their ordinance, and perhaps this could help Douglas County's committee work. Motion carried.

**RESOLUTION #23-02**  
**RESOLUTION BY THE HIGHWAY COMMITTEE AND ADMINISTRATION**  
**COMMITTEE**

Subject: Highway Department Restructure

WHEREAS, a proposed restructure of the Highway Department was presented by the Highway Commissioner and reviewed by the Highway Committee and Administration Committee, and

WHEREAS, the proposed restructure is minimal, with the incremental change focusing on development of a preventative maintenance program for all its equipment, which will reduce the yearly parts expenses by reducing the repairs from breakage or failure, and

WHEREAS, the proposed restructuring is as follows:

<u>Current Position</u>	<u>Proposed Position</u>	<u>Salary Difference</u>	<u>Explanation</u>
(Union) Shop Foreman	(Union) Parts Coordinator/mechanic	-0-	Change will open up the union Shop Foreman job, and was approved through the union contract negotiations.
(Union) Shop Foreman Pay scale \$16.68/hr	(Non-Union) Shop Foreman Classification C41 starting at Step 1 from	Salary difference  will be determined at time of hire based on skills of applicant.	Non-union Shop Foreman position will be able to develop a preventative maintenance program and give better direction and supervision to mechanics

	\$17.45/hr to \$20.62/hr	However, there will	and equipment operators on the proper
	at Step 8. Position	be an offset on salary	use
	recruitment based on	from the mandatory	and maintenance of equipment resulting
	qualifications and	one-half hour of	in
	skill level.	overtime daily that	more productivity and
		was paid to Shop	efficiency. Non-
		Foreman estimated	union positions do not have to be
		to be \$3,250 per year.	negotiated with the union.
(Union) Equipment	(Union) Equipment	-0-	An equipment operator will also be
Operator	Operator/Sign Shop		trained on making and installing signage.
	Coordinator		This position was approved through
			union
			contract negotiations.

WHEREAS, the Highway Department budget is currently funded for 38.6 FTE's and is currently understaffed at 36.6 FTE's, with this restructuring proposal not increasing the full-time equivalency, but maintaining it at 38.6, and because the department is currently understaffed, there is no initial cost to this restructuring, and

WHEREAS, any equipment operator or mechanic vacancies created by internal promotional opportunities to existing staff as a result of this restructuring, will automatically be replaced to maintain the staffing equivalent at 38.6 FTE's, with no increase to the budget for replacements, and

WHEREAS, there is a slight difference in salary from the union shop foreman to the non-union shop foreman, but the expectation of supervising and creation of a preventative maintenance repair shop, is included in the job description, and

WHEREAS, there is no monetary affect on the budget because the Highway Department has two funded vacancies resulting from a mechanic that left the shop for an equipment operator job, and from an equipment operator who retired in January 2002, and

WHEREAS, funds from the vacant but funded positions will be used to offset any costs associated with this restructuring.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors accept the recommendations of the Highway and Administration Committees, and approve the above restructuring of the Highway Department.

Dated this 21<sup>st</sup> day of March, 2002.  
(Committee Action: Unanimous)  
(Fiscal Note: None)

ACTION: Motion by James Cosgrove, second Shepard, to adopt. Motion carried.

**RESOLUTION #24-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Highway Department Union Contract January 1 through December 31, 2002

RESOLVED, that the Douglas County Board of Supervisors hereby accepts the recommendations of the Administration Committee and approves the contract settlement for 2002 between Douglas County and TEAMSTERS Local 346, Highway Department employees, with the following revisions:

ARTICLE 9.

Change acronym

Section 3. Family and Medical Leave: A. Family/Medical leave is available to all employees who meet the legal eligibility requirements and will be administered accordingly. The Wisconsin Family Medical Leave (WFML) is available for a twelve month period beginning January 1st of every year. The Federal Family Medical leave (~~FFML~~) (**FFML**) is available each year for a twelve month period on a rolling time frame.

B. Eligible employees may elect or the department manager may require substitution of any accrued vacation, personal leave days, or compensatory time, as it applies under the Act(s). Under the ~~FFML~~ **FFML** substitution of any accrued paid sick leave is for medical leave only. Under the WFML employees may substitute any accrued paid or unpaid leave for family or medical.

ARTICLE 10.

SAFETY EQUIPMENT & EXPENSES: Add Section 6.

**Section 6. The department will schedule safety committee meetings on a regular basis, a minimum of one per quarter.**

ARTICLE 12.

HEALTH AND SANITATION: Remove all language referencing the hot mix plant.

Clean, sanitary restrooms shall be maintained at all times by the Employer. ~~, and there shall be a portable restroom at the hot mix plant.~~

ARTICLE 13.

COVERALLS: Remove all language referencing the hot mix plant.

The Employer agrees to furnish and launder weekly two (2) sets of standard shop coveralls for the mechanics, mechanics parts man and the shop foreman. The Employer also agrees to furnish coveralls for

the men on the oil distributors. The County shall purchase for all employees one (1) rainsuit, and all members of the tarring crew shall receive coveralls. ~~The County shall make a raincoat available for employee use at the hot mix plant.~~

ARTICLE 15.

EMPLOYMENT STATUS: Delete last sentence.

Section 3. Seasonal employees shall not accrue permanent seniority status or any fringe benefits under the Agreement. In the event of a seasonal employee applying for and successfully obtaining a posted job vacancy or new position constituting regular employment status, the employee shall serve a six (6) month probationary period in accordance with Article 16, Sections 1, 2 and 3. ~~Present incumbent seasonal employees on the payroll January 1, 1972, shall be excepted from this Article.~~

ARTICLE 16.

PROBATIONARY PERIOD: Add and Delete to concur with current practice and omit side letter of 1999.

Section 3. During the probationary period, the employee will not be entitled to any of the benefits provided by this Agreement, **except paid holidays.** ~~H~~However, upon satisfactory completion of said period the employee shall be entitled to all of the benefits provided by this Agreement, computed from their starting date of employment. ~~, except paid holidays, and employees will receive only those paid holidays that occur following their six (6) months probationary period.~~ Probationary employees shall be entitled to time and one-half (1-1/2) for all hours worked over forty (40) hours in any one (1) week.

ARTICLE 17.

SENIORITY: Add two new classifications (g) and (h) to Section 1, B. Add Sign Technician to Section 2, A. Delete reference to Superior in Section 4. Add new Section 7.

B. Definition of Work related classifications: Work related classifications shall be the following 5 classifications:

- (a) Equipment Operators 1 and Equipment Operators 2
- (b) Operator Technician;
- (c) Working Supervisors;
- (d) Mechanics, Premium Mechanics and Shop Supervisor;
- (e) Clerical; and
- (f) Building Service Employee Worker
- (g) Equipment Operator/Sign person**
- (h) Parts Coordinator/Mechanic**

Section 2. A. For overtime assignments in cases other than when work is currently in progress, overtime work will be offered in the following order: (NOTE: The Operator Technician **and Sign Technician**



will maintain his seniority and be included in the classification of Equipment Operator for purposes of call outs).

Section 4. The seniority list shall be posted on the shop bulletin boards at ~~Superior and~~ Hawthorne, and kept up to date by the Employer. A copy of the up-to-date list shall be made available to the Secretary of Local No. 346. The Employer agrees to furnish the seniority list to the Local Union twice annually. Said seniority list shall contain the name, starting date of each employee. Seasonal employees shall be carried on the bottom of the list in proper sequence and the list shall so state that they are seasonal.

**Section 7. Emergency work assignments: For emergency work assignments involving immediate, temporary repairs to address issues concerning public safety, the County may utilize an employee who is currently working and is the most readily available, qualified person within the bargaining unit to assist with the situation. Situations adversely affecting public safety shall include, but not be limited to, down stop signs, fallen tree blocking roadway, hole in roadway due to failing culvert, washed out roadway requiring barricades or other traffic control devices, or conditions which pose a significant risk of injury to the public if immediate repair or traffic control protection is not provided. Situation requiring immediate attention shall be determined by management, as necessary, to prevent dangers or risk of injury to the traveling public.**

**When no bargaining unit employees are working, the regular contract language regarding “call-outs” shall be followed. In other words, situations requiring a telephone call to an individual at their home, or their personal cellular telephone, shall follow the regular contract language regarding “call-outs”: per Article 17 and Article 27. Situations requiring additional, more extensive, or permanent repairs shall be performed according to job classifications.**

ARTICLE 18.

PROMOTIONS: Section 5, delete by the Highway Commissioner and/or the Highway Committee. Section 6. Add within classification.

Section 5. It shall be the policy of the Employer to promote to supervisory positions, insofar as possible, from the ranks of the employees. Such positions shall be posted as stated herein, however, all applications shall be submitted in writing and each applicant shall be interviewed ~~by the Highway Commissioner and/or the Highway Committee~~ to determine their qualifications for the position to be filled, if deemed necessary, by the Employer. Seniority will be considered but may not necessarily be the deciding factor in filling supervisory positions.

Section 6. Transfers: Employees **within classification** may submit transfer requests to other locations to fill vacated positions with in the job-related classifications. Transfers shall be awarded to the most senior qualified employee within the classification. The transferred employee shall retain their classification and rate of pay.

ARTICLE 21.

HEALTH AND WELFARE: Section 2. Delete Sentence.

Section 2. County reserves the right to change the insurance carrier and/or self-fund its insurance program, provided the coverages are substantially equivalent or superior to the health insurance coverages that were offered by Blue Cross/Blue Shield in 1986.

Any changes in the health insurance program per the above paragraph must include the following coverages:

- \* Limits of Liability - \$1,000,000
- \* Total Liability for the employee regarding available benefit coverages shall not exceed \$1,500 annually. This amount excludes expenses incurred for prescription drugs and expenses that exceed the limits of liability.
- \* The annual front-end deductible shall not exceed \$100 per subscriber and may incorporate up to three deductibles per family. After the deductible is satisfied, no further deductible will apply for each hospital stay.
- \* Routine Physicals; however, this coverage may be excluded if the county is unable to reasonably purchase or provide such coverage.
- \* Utilization management, (pre-certification, continued stay certification, and large case management.)  
See Addendum for explanation on Pre-Certification.

The parties agree that a labor management committee shall be established in 1998 to study health insurance. The study committee shall include representatives of all bargaining units as well as non-represented employees. Savings resulting from implementation of the study committee's recommendations shall be shared with the employees on a win-win basis. ~~The committee shall commence on or about February 1, 1998, with the goal that recommendations will be made to the Personnel Committee on or about October 1, 1998, so that they can be implemented on January 1, 1999.~~ The parties agree that the recommendations of the labor management committee will have to be reviewed by the membership and approved by the membership prior to implementation

ARTICLE 22

HOLIDAYS: Change Spring Holiday dates to reflect current year. Delete Section 3. Renumber Section 4 to 3.

HOLIDAYS: Section 1. Holidays with pay at the regular rate shall be:

New Year's Day	President's Day
Memorial Day	Fourth of July
Labor Day	Armistice Day
Thanksgiving Day	Christmas Day

Christmas Eve Day  
Spring Holiday

1/2 day New Year's Eve

The Spring Holiday shall be an annual event selected on a mutually agreeable date. In 2002, it shall be celebrated on ~~April 21~~ and in 2001, it shall be celebrated on ~~April 13~~ **March 29**.

~~Section 3. Any employee with less than six (6) months' service for the County will not be entitled to any of the paid holidays.~~

Section 4.3. In the event any of the above listed holidays falls on Saturday, the preceding Friday shall be considered the holiday. In the event of a day and a half holiday such as Christmas Eve and Christmas Day where Christmas Day falls on a Saturday, Friday shall be considered the holiday for Christmas Day and Thursday shall be considered the Christmas Eve holiday. If any of the above listed holidays falls on a Sunday, the following Monday shall be considered the holiday.

#### ARTICLE 24.

WORK DAY- WORK WEEK. Delete f. because it is repeated in Article 27, Section 1. Move Article 26 to Article 24 and renumber the following articles.

WORK DAY - WORK WEEK: Section 1. For all hourly paid employees of the Douglas County Highway Department, eight (8) hours shall constitute a normal day's work and forty (40) hours in five (5) consecutive days shall constitute a normal week's work, Monday through Friday. For the Head Bookkeeper and Bookkeeper, 7-1/2 hours shall constitute a normal day's work and 37-1/2 hours in five (5) consecutive days shall constitute a normal week's work.

GUARANTEED WORK WEEK: ~~Section 1.~~ All regular employees shall be guaranteed eight (8) hours per day and forty (40) hours per week, summer and winter. **Seasonal employees will be scheduled to work 8-hour days; there is no weekly guarantee. If there is no work available seasonal employees will be sent home.**

~~Section 2. All regular seasonal employees shall be guaranteed eight (8) hours per day and forty (40) hours per week during the summer season and eight (8) hour per day and thirty-two (32) hours per week during the winter season.~~

~~f. Call-out shall be by contract. Holiday call-out is an eight-hour (8-hour) straight time minimum.~~

#### ARTICLE 27.

CALL OUTS: Add language to Section 1. Add new language regarding CDL language.

Section 1. CALL OUTS: Employees when called back to work shall be paid the applicable rate of pay for such day for the work performed but in no case shall they receive less than four (4) hours' straight time pay. For call outs on holiday, a minimum of eight (8) hours straight time pay **for 8 hours holiday, and a**

minimum of 4 straight hours pay for ½ day holidays.

**COMMERCIAL DRIVER'S LICENSE:**

**Class B Commercial driver's license and medical card will be required for all Highway workers except the office and janitorial staff, at the time of hire. After the employee has passed their probationary period and is prevented from being physically qualified for the medical card, but is still physically able to perform the functions of their job, they will be allowed to drive for the County as long as they maintain their CDL. The State regulations allow the CDL holder to drive intrastate which does allow the employee to cross the state lines in a small radius without having a medical card.**

**In the event an employee loses his/her CDL for an offense that does not require dismissal by statute, the County will make a good faith effort to gainfully employ the person in a position that does not necessitate operating a motor vehicle, which requires licensed operation. The rate of pay for a person without the necessary license shall be the pay rate of the work being done.**

**If no work is available, the employee will be placed on layoff status not to exceed six months, at which point the employee shall be required to obtain a CDL and once obtained, the employee shall be returned to their former position. If the employee is unable to obtain a CDL they should consider applying for other vacant positions within the County that they may be qualified for, or be released from their position.**

ARTICLE 32.

CLASSIFICATIONS AND WAGE RATES: Add language to Section 3.

Section 3. Effective January 1, 1997, a Number Two Operator (#2 Operator) with 24 consecutive months of service in that classification can, upon successful completion of a proficiency exam demonstrating competency on 3 of 4 Class One types of equipment (dozer, loader, grader, excavator), be promoted to a Number One Operator (#1 Operator) at his current work reporting location. The exam will be designed and administered by a three-person committee consisting of one #1 Operator, one Working Supervisor, and one management person. The exam will be updated as needed.

**After completion of two (2) years as an Equipment Operator #2, the County shall test the Operator #2 for Operator #1 classification if test is requested by a #2 Operator, as schedules permit, to prevent conflict to department operations, not to exceed three (3) months beyond the request.**

ARTICLE 37.

Change the effective dates of the contract to reflect a one-year contract, the current bargaining year, January 1, 2002 through December 31, 2002.

Wages: Effective January 1, 2002 as follows:  
3% for Equipment Operators, the Office Staff and Maintenance  
2.5% + \$0.10/hour for Mechanics and Foremen

Effective July 1, 2002:  
0.5% for the Mechanics and Foremen

Dated this 21<sup>st</sup> day of March, 2002.

(Committee Action: Unanimous)  
(Fiscal Note: Increase of 3% or \$48,972)

ACTION: Motion by Shepard, second Hooper, to adopt. Brief discussion followed on new employee eligibility for holiday pay. Motion carried.

**RESOLUTION #25-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Law Enforcement Contract Settlement 2002

RESOLVED, that the Douglas County Board of Supervisors hereby accept the recommendations of the Administration Committee and approve the labor settlement for the year January 1 through December 31, 2002 between Douglas County and the Law Enforcement Employee Relations Division of the Wisconsin Professional Police Association (WPPA), with the following revisions:

**ARTICLE 19**

ARTICLE 19. PROMOTIONS. Section 5. **Modify to follow current practice and guidelines set forth by the Civil Service Ordinance:** It shall be the policy of the Employer to promote to the **non-union** supervisory position, insofar as possible, from the ranks of the employees. Such positions shall be posted as stated herein. However, all applications shall be submitted in writing and each applicant shall be interviewed **by an interview panel that includes an individual from outside the county and the Law Enforcement Committee and by the Policy Committee** to determine his/her qualifications for postings to be filled if deemed necessary by the Employer. Seniority will be considered but may not necessarily be the deciding factor in filling supervisory positions.

ARTICLE 19. PROMOTIONS. Section 6. **Modify language to read:** All grievances in connection with the filling of a ~~job vacancy~~ bargaining unit vacancies or ~~new position~~ newly created union positions shall be referred to the proper step of the grievance procedure of this Agreement.

ARTICLE 25: HOLIDAYS. Change the spring holiday to reflect the 2002 calendar.

**OVERTIME.** Section 2. Overtime pay at the rate of one and one-half (1½) times the regular rate of pay shall be paid as follows:

- (a) Hours worked over eight (8) hours per day;
- (b) Hours worked in excess of forty (40) hours in any one (1) week, Sunday through Saturday.
- (c) **Overtime work will be paid for at one and one-half (1½) times the regular rate of pay. Time absent from work (e.g. sick leave, vacations, personal leave days, funeral leave, compensatory time) will not be considered hours worked for overtime purposes.**

Move to Section 2 c. ~~Section 3. All overtime work will be paid for at one and one-half (1½) times the regular rate of pay. Time absent from work (e.g. sick leave, vacations, personal leave days, funeral leave, compensatory time) will not be considered hours worked for overtime purposes.~~

Move Article 27 to Article 25. Holiday Pay. Section 4. All employees eligible for holiday pay and who work the holiday, shall be compensated at time and one-half (1½) their regular rate of pay.

In addition to language changes above the following items were agreed upon:

- (1) Contract Duration (1 Yr) January 1, 2002 through December 31, 2002.
- (2) On or before June 1, 2002, Douglas County agrees to recognize those rank and file employees assigned to the jail, as a separate and autonomous collective bargaining unit independent of rank and file sworn personnel.
- (3) Wages:  
For all bargaining unit employees:  
Effective: January 1, 2002 2.5% ATB  
And on July 1, 2002 .5% ATB
- (4) Field Training Officer. Any bargaining unit member, regardless of classification, while performing duties as a field-training officer only, shall receive an additional \$0.10 per hour above their regular hourly rate of compensation.
- (5) In 2001 the Jail corporals were re-titled Jail Sergeants. In 2002 the re-titled Jail Sergeants will receive a 3-part split. On January 1, 2002 \$0.22; on July 1, 2002 \$0.22; and on December 31, 2002 \$0.22 to equalize the Jail Sgts. wage with the Patrol Sgts. wage.

Dated this 21<sup>st</sup> day of March, 2002.

(Committee Action: Unanimous)

(Fiscal Note: \$48,426.85 = 3%)

ACTION: Motion by Hooper, second Ryan, to adopt. Finn questioned Article 19, whereby interviews will now be conducted by a panel as opposed to the past practice of having the Law Enforcement Committee conduct the interviews. Discussion followed, and Supervisors recommended this be revisited in the future if the Board desires. Hooper requested that the next time these contracts come up, the Human Resources Manager be here to answer questions. Board agreed. Motion carried.

**RESOLUTION #26-02**  
**RESOLUTION BY THE EXECUTIVE COMMITTEE**

Subject: Amendment to Policy for Pay and Reimbursement Procedures  
for County Board Supervisors

RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Executive Committee, and approve the following amendment to the Manual of Policy and Procedures, page 9, "Pay and Reimbursement Procedures", Section A. - Expense Report:

A. Expense Report

Supervisors are ~~expected~~ to complete an expense report at least every quarter in order to receive stipend and reimbursement payments. Supervisors should indicate meetings attended (County Board and committee meetings), stipends to be received, mileage reimbursement, meal payments, and training, seminar and convention expense reimbursement, if any.

~~Expenses incurred in a prior year must be submitted no later than January 31 in order to receive reimbursement.~~

The deadline for submission of the ~~4<sup>th</sup> quarter report~~ **reports is within 30 days of each quarter, except the 4<sup>th</sup> quarter report deadline is will be mid- December, with the specific date to be communicated to Supervisors in advance., or expenses will not be paid for that year.**

Dated this 21<sup>st</sup> day of March, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Martin, second Coletta, to adopt. Motion carried.

**RESOLUTION #27-02**  
**RESOLUTION BY THE EXECUTIVE COMMITTEE**

Subject: Procedures for Legal and Display Ads in Daily Telegram

RESOLVED, that the Douglas County Board of Supervisors accepts the recommendation of the Executive Committee, and hereby establishes the following procedure for placing Douglas County legal and display ads in the Daily Telegram:

- (1) Departments will provide to the County Clerk's Office, the text of the ad on disk or CD (or via e-mail), in either Word or WordPerfect format. Ads must be to the Daily Telegram a minimum of two work days prior to publication date, and department ad drafts should be to the County Clerk's Office a minimum of one day prior to submission to the newspaper.
- (2) Departments will indicate the type of ad, layout, publication date or dates. The County Clerk's Office will offer assistance upon request. The ad will be produced by the County Clerk's Office in a camera-ready format and submitted to the Daily Telegram for publication. Departments will be provided final proof of ad for departmental sign-off prior to submission to paper.
- (3) All Daily Telegram billings for ads will be sent to the County Clerk's Office for review and audit, to assure correct rates are being applied. The County Clerk's Office will handle payment of the bills, charging the applicable departments ~~through interdepartmental transfers~~.

Dated this 21<sup>st</sup> day of March, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Potential significant savings in advertising budgets)

ACTION: Motion by Quam, second Glenn, to adopt. Olson indicated this came through the Executive Committee through the County Clerk's office, and he commended the extra work taken on by Sandvick and Tafelski to save money for the County. Motion by McKenzie, second James O'Brien, to amend the resolution eliminating "through interdepartmental transfers" of last sentence in paragraph (3). Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #28-02**  
**RESOLUTION BY THE JUDICIARY, LEGISLATIVE, AND VETERANS COMMITTEE,**  
**AND ADMINISTRATION COMMITTEE**

Subject: County Security Funds Legislation Supported

WHEREAS, security issues are now more important than ever, and



WHEREAS, Douglas County is looking at ways to fund new security measures in the County to assist in compliance with Supreme Court Rule 70.39, and

WHEREAS, other states such as Texas, Illinois and Iowa have implemented or are in the process of implementing a procedure that adds a set dollar amount as a security fee to cost of court so the individuals paying the fees or committing the crimes help pay for courthouse security, and

WHEREAS, Texas Code of Criminal Procedure, Article 102.017, provides that defendants convicted of a felony offense pay \$5 security fee as a court cost and a misdemeanor offender pays a \$3 fee and such fees are deposited in a security fund which is used for the purposes of providing security services for court buildings, including purchasing x-ray machines, metal detectors, electronic locking systems, security personnel, alarms, bulletproof glass, etc., and

WHEREAS, the State of Illinois has established a \$15 security fee per action used for similar purposes, and

WHEREAS, such a fund would make sense in Wisconsin; however, there is nothing in the statutes that allows the County to charge such a fee for security, and

WHEREAS, the State could adopt language similar to Texas to allow counties to establish a set fee to be paid directly to the County as a court cost to create courthouse security funds of which proceeds would be used to increase courthouse security around the State of Wisconsin.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors go on record encouraging the State of Wisconsin legislature and Governor to enact legislation that would allow an additional court cost for all cases filed in the Clerk of Courts office, to be used to establish local county security funds which purpose would be to increase courthouse security statewide.

BE IT FURTHER RESOLVED, that this resolution be sent to all Douglas County State Legislators, Governor McCallum, all County Sheriffs, Clerks of Court, and County Clerks in the State of Wisconsin; additionally, the Wisconsin Sheriff's and Deputy Sheriff's Association, Wisconsin Counties Association, and the Wisconsin Towns Association.

Dated this 21<sup>st</sup> day of March, 2002.

(Committees Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by McKenzie, second Glenn, to adopt. Motion carried.

**RESOLUTION #29-02**  
**RESOLUTION BY SUPERVISORS ON THE HUMAN SERVICES BOARD AND**  
**THE ADMINISTRATION COMMITTEE**

Subject: Human Services Department Staff Interim Pay

WHEREAS, the Interim Human Services Director has appointed Kate Peterson to act as the interim Deputy Director, leaving a temporary void in the Social Worker Supervisory position that oversees the Youth Services Program, and

WHEREAS, the Interim Deputy Human Services Director has been carrying the responsibilities of both Social Work Supervisor and interim Deputy Director, and

WHEREAS, the interim Human Services Director has requested Rob Sowl, Social Work Coordinator, to assist with the supervisory duties in Youth Services for approximately 10 hours per week, for a six month period of time.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors accept the recommendations of the Human Services Board and the Administration Committee and confirm that Rob Sowl fill the Supervisory duties in Youth Services Unit for 10 hours per week, for the period January 1 through June 30, 2002.

BE IT FURTHER RESOLVED, that Rob Sowl will receive an hourly stipend of \$0.52 per hour for ten hours per week, for a total cost of \$542.03.

Dated this 21<sup>st</sup> day of March 2002.

(Committee Action: Unanimous)

(Fiscal Note: \$542.03)

ACTION: Motion by Quam, second Hooper, to adopt. Motion carried.

**RESOLUTION #30-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Budgetary Transfers

RESOLVED, that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and approve the following transfers:

**Budget Year 2001:**

(1) Clerk of Courts – \$15,600.00 (J.E. #95185 – Year end over/under budget.) No fiscal impact.

**Budget Year 2002:**

- (1) Zoning – \$2,622.00 (J.E. #95186 – Record budget for fine money received, to be used for education.) No fiscal impact.
  
- (2) County Clerk – \$5,000.00 (J.E. #95187 – Reclass capital to supplies (cost of laptops was under \$2,000 fixed asset threshold) No fiscal impact.

Dated this 21<sup>st</sup> day of March, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

(Administrative Note: Two-thirds vote of Board-elect required)

ACTION: Motion by Coletta, second John Cosgrove, to adopt. Roll call vote taken and passed with 24 Ayes, 0 Noes, 6 Absent. Absent were Kallstrom, Wes Johnson, Carol Johnson, Allen, Eckman, Zukowski. Motion carried.

**RESOLUTION #31-02**  
**RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: Opposition to Governor McCallum’s Budget  
Proposal on Shared Revenue

WHEREAS, Governor McCallum has proposed an immediate cut of \$350 million in the Shared Revenue, Expenditure Restraint and Small Municipalities Shared Revenue Programs for cities, villages, towns and counties in Wisconsin, and

WHEREAS, Governor McCallum has proposed the complete elimination of all Shared Revenue Related Programs in 2004, and

WHEREAS, Governor McCallum described this proposal in his budget speech as “...a 4 percent reduction to local government budgets in calendar year 2002”, which is extremely inaccurate, and

WHEREAS, Governor McCallum repeatedly in his budget speech called municipal officials “Big Spenders”, and

WHEREAS, Douglas County is budgeted to receive \$2,910,000 from Shared Revenue Related Programs in the current budget year, and

WHEREAS, the elimination of Shared Revenue Related Programs would have a devastating impact on Douglas County and all local units of government in the County, and would force huge cuts in essential public services, and

WHEREAS, it is the desire of Douglas County to form partnerships with all local units of government which requires state assistance through legislation and administration, and

WHEREAS, before State Shared Revenue is reduced, state government must examine all mandates, rules, and statutes which have an impact on local units of government spending and taxing.

NOW, THEREFORE BE IT RESOLVED, that the Douglas County Board of Supervisors strongly oppose Governor McCallum's proposal for slashing and eliminating the Shared Revenue Program.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Governor, all members of the state legislature, and the Wisconsin Counties Association.

Dated this 21<sup>st</sup> day of March, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Liebaert, second Glenn, to adopt. Motion by Coletta, second McKenzie, to amend resolution to come from entire County Board. Motion carried. Motion to adopt as amended, carried.

ACTION: Motion by Martin, second James O'Brien, to allow Resolution #32-02 not on agenda. Motion carried.

**RESOLUTION #32-02**  
**RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: University of Wisconsin - Superior Mens Hockey Program

WHEREAS, the University of Wisconsin - Superior Men's Hockey Team became the NCAA Division III 2002 National Champions, defeating Norwich University 3 to 2 on March 16, and

WHEREAS, the University of Wisconsin - Superior Men's Hockey Team has demonstrated its strengths both on the ice and in the classroom, having had several players named to the NCHA All-American, NCHA All-Academic, and NCAA All-American teams, and

WHEREAS, the University of Wisconsin - Superior Men's Hockey Team compiled an impressive record of 24 - 5 - 5 during the 2001-2002 season, and

WHEREAS, the University of Wisconsin - Superior Men's Hockey Team, through determination and a positive attitude, respectfully accepted the challenges and adversities set before them throughout season, including injuries, and the play-in to get to the Frozen Four, and

WHEREAS, the University of Wisconsin - Superior Men's Hockey Team has been in the NCAA Frozen Four nine times in eleven seasons, reaching the pinnacle of success with the national championship, bringing great pride to UW - Superior, its student body, administration, and the communities throughout Douglas County.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors congratulates the University of Wisconsin - Superior men's hockey team, coaches, and administration for their NCAA Division III National Championship for the 2001-2002 season, and wishes them continued success in their pursuit of excellence.

Dated this 21<sup>st</sup> day of March, 2002.

ACTION: Motion by Conley, second James Cosgrove, to adopt. Motion by Coletta, second Quam, to amend resolution so it is sponsored by the entire County Board, and that a copy be sent to Governor McCallum and the University's Board of Regents. Motion carried. Motion to adopt the resolution, as amended, carried.

#### **ADMINISTRATIVE COORDINATOR REPORT**

Koszarek distributed copies of his report to Supervisors, which included the following issues: (1) A grant writer position; (2) Shared revenue potential cuts; (3) Metro Center status; and (4) Merger of Health and Human Services Departments. Brief discussion followed. On the grant writer position, there is individual expertise in various departments, but this position needs someone with technical expertise and time dedicated specifically to researching funding sources. Waterman and Koszarek will be working with some community individuals to study this further.

Regarding consolidation issues with the City of Superior, Koszarek indicated one thing that consolidation may be helpful in is with bookkeeping and finance. However, this did not hold true for personnel/staffing. Duluth and St. Louis County have merged Health and Human Services. There is a myriad of issues to resolve, and a lot depends on open-mindedness of the individuals involved in the various departments.

#### **COUNTY BOARD CHAIR REPORT AND APPOINTMENTS:**

**Approval of Emergency Fire Warden Organization List for Douglas County, 2002.** Motion by McKenzie, second Martin, to approve. Motion carried.

The following appointments were recommended: City/County Communications Center Relocation Committee: Anthony Coletta, Larry Quam, Larry Kroll, Ric Felker, and Keith Kesler (advisor). Motion by Shepard, second Robinson, to approve appointments. Motion carried.

Chairman Finn extended invitation to Supervisors to attend 10<sup>th</sup> Anniversary of Revolving Loan Fund luncheon, on March 28, 2002 at noon at Barker's Island. RSVP to Development Association.

**Superior Days 2002:** Larger turnout than ever, with more counties/cities and students participating. The program demonstrates cooperation and a good working relationship between all who participate. Kohl's office assistant suggested the County work quickly to apply for some funds available through his office, especially on technology-related issues/items. Koszarek and Pukema have put some things together already. Olson agreed that participating in this project is rejuvenating, even though the three days expends an individual's energy. He encouraged others to get involved. James Cosgrove was impressed with the students involved.

**Arrowhead-Weston Power Line:** At Executive Committee last week, it was suggested that the County try to organize a meeting with other counties to discuss the power line. Sandvick is trying to coordinate a meeting, and Finn will let Supervisors know when it is set.

### **COMMITTEE REPORTS:**

Solon Springs Community Center - James Cosgrove. Senior meals will begin in May. Health Department - Nursing Division meeting there in April. Grand Opening will depend on Tim Mertzig's timing.

Board of Health - Coletta. Medicare payments for the last three months of 2001 were reduced from \$75,000 to almost zero. An appeal is being considered. Still receiving appealed medicare payments from year 2000. The payment through appeals system is about 1.3 years lagging. Following April audit, the exact figures lost, or in appeal, will be known. Board of Health looking at reporting actual revenues received on a monthly basis in the future, because of the three month lag before payments received from Medicare. Accountants, Judi Walker and Pat Heiser initiate any appeals. Finn suggested all the paperwork be sent to congressmen so they know what is happening on this.

Forest, Parks, and Recreation Committee - John Cosgrove. March 5, 2002 timber sale was in excess of \$700,000.

Northern Waters Library Board - McKenzie. Meeting held last month. Douglas County pays more than other counties in the consortium. That Board is now working short of staff. Last year they had over 1,000,000 checkouts. Last month legislation was introduced for counties to be allowed to assess user fee for book checkouts, etc. McKenzie opposes this.

Bong Heritage Center - Lew Martin. Airplane to be placed in June, with building done in August or September. It will be the original plane. WWII Commemorative Gallery will be part of the Center. Panels on one wall can be purchased by individuals for \$250 as commemorative plaque to family member, friends, etc.

Metropolitan Interstate Committee. Ryan commended Sandvick on the County's webpage, because it is being used. Conley indicated resolution from MIC coming in next couple months regarding Soo Locks expansion to accommodate 1000 ft. ships. Cost will be shared on the expansion. Wisconsin's share will be 11%.

Superior and Solon Springs Libraries - Kay Johnson. Usage is up significantly. Grant application in progress for technology improvements. Current exhibit highlights history of Superior. Library Board to consider user fee for nonresidents. Duluth Public Library has this policy.

Bob Browne reported on the trip to Washington with UW-Extension, to attend conference with Extension offices from all over the country.

**APPROVAL OF BILLS AND CLAIMS:** Printouts reviewed. Motion by James Cosgrove, second John O'Brien, to approve. Motion carried.

**ADJOURNMENT** - Motion by Quam, second Smith, to adjourn. Motion carried. Meeting adjourned 7:37 p.m. Next regularly scheduled meeting - April 11, 2002. Reorganization meeting - April 16, 2002 at 5:30 p.m.

Submitted by,

Susan T. Sandvick  
Douglas County Clerk

**PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS**  
**Thursday, April 11, 2002, 6:00 p.m.**  
**City-County Complex Chambers, 1409 Hammond Avenue, Superior, Wisconsin**

Meeting called to order by Chairman Douglas Finn.

Pledge of Allegiance recited.

Roll call taken by County Clerk Susan T. Sandvick. There were 24 present, 6 absent. Absent and excused were David Olson, Terry Waterman, John Robinson, Richard Smith, Robert Kallstrom, Anthony Coletta.

Motion by Glenn, second Shepard, to approve minutes of the March 21, 2002 County Board meeting. Motion carried.

**CLAIMS AGAINST THE COUNTY**

Notice of Claim and Claim from Attorney Scott W. Clark, on behalf of Richard Fuller and Priscilla Strang, parents of Kenneth LeRoy Fuller, alleging damages for the wrongful death of Kenneth LeRoy Fuller caused by deputies of the Douglas County Sheriff's Department.

**CORRESPONDENCE**

1. Department of Natural Resources, grading permit to Lakehead Pipeline Company, for various waterways to install underground natural gas pipeline. Received and placed on file.
2. Great River Energy, notice of rebuild plan for local transmission line in Towns of Superior and Summit. Referred to Land and Development Committee.
3. Department of Natural Resources, assessment of severance share on wood products. Referred to Forest, Parks and Recreation Committee.
4. Northern Waters Library Service, request for resolution supporting continued free access to public libraries. Referred to Library Board Planning Committee.
5. Wisconsin Counties Association, refund of \$1,039.30 as Douglas County's pro rata share of tobacco litigation funds not used. Received and placed on file.
6. Lafayette County resolution requesting Wisconsin Counties Association to implement strategic planning process and enhanced relationship with legislature. Referred to Judiciary, Legislative and Veterans Committee.



7. Dunn County resolution regarding utility tax compensation to utility-site counties. Referred to Administration Committee and Judiciary, Legislative and Veterans Committee.
8. Washburn County resolution recommending to Governor and Legislature, a guide to solving State's budget deficit. Referred to Administration Committee.
9. Lafayette County resolution congratulating Mark O'Connell on appointment as WCA Executive Director. Referred to Judiciary, Legislative and Veterans Committee.
10. Department of Health and Family Services, notice of deposit for Federal and State Aids. Received and placed on file.
11. Racine County resolution opposing Senate Bill 232 and Assembly Bill 294, awarding compensation/punitive damages under Wisconsin Fair Employment Act. Referred to Judiciary, Legislative and Veterans Committee.
12. Northwest Regional Planning Commission, CDBG Housing Rehabilitation Program grants availability and grant-writing assistance. Referred to Human Services Board and Rural Housing Authority.
13. Superior Public Library, Summary of the 112<sup>th</sup> Annual Report for Year 2001. Received and placed on file.
14. Experience Works (formerly Green Thumb, Inc.), 2000-2001 annual activities report. Received and placed on file.
15. Manitowoc County resolution objecting to elimination of shared utility tax payments. Referred to Judiciary, Legislative and Veterans Committee.

Correspondence not on agenda:

16. Wisconsin Department of Workforce Development, Health and Family Services audit approval for Douglas County's funded programs. Referred to Board of Health, Human Services Board, Human Services Department.
17. Wisconsin Division of Hearings and Appeals, public hearing notice on contested case by Alliance Construction, Inc., Superior, regarding grading on St. Louis River bank. Received and placed on file.
18. Wisconsin Emergency Management, notice of Emergency Management Performance Grant (EMPG) Award for 2002 of \$14,074.00. Referred to Law Enforcement Committee.

19. Public Service Commission of Wisconsin, addendum to February 11, 2002 application by Rainy River Energy Corporation-Wisconsin, to construct generating facility in Superior. Received and placed on file.
20. Brown and Waupaca Counties, resolutions encouraging legislature to allow additional court costs to be used for establishing court security funds statewide. Received and placed on file.
21. Various letters received from citizens in opposition to Arrowhead-Weston power line project. Received and placed on file.
22. Department of Transportation notice of minor revisions to right-of-way plat for USH 2 Road, Hawthorne, and USH 53, Douglas County. Received and placed on file.
23. Department of Transportation relocation order for lands and interests to be acquired for Nemadji River Bridge and Approaches, STH 35 - Douglas County project. Received and placed on file.
24. Douglas County Council on Child Protection, thank you to County Board Chair Finn for his participation in "Celebrate Children Day" press conference, April 3, 2002. Received and placed on file.

### **PRESENTATIONS**

Chairperson Finn presented Carl Peterson with plaque for 30 years of service to Douglas County. Vic Wester spoke of Peterson as a faithful employee who was a pleasure to work with. Peterson thanked the Board of Supervisors for the opportunity to work for the County.

Chairman Finn recognized the efforts and dedication of six outgoing supervisors - Paul Pinkoski, Russell Carlson, John Cosgrove, Richard Smith, Robert Kallstrom, and David Olson. Certificates of appreciation from the County were presented to those present.

James Litwin, AP Construction Project Manager, presented a progress report on Metro Center project. County needs to solidify agreement with the city. As it stands right now, construction budget is \$31,230,079. With change orders the budget is \$31,160,694, leaving current budget balance of about \$70,000. Contingency originally \$800,182, with net changes of \$443,897 to date, leaving balance of \$356,285. County does have potential change orders totaling about \$400,000 which means Contingency #1 could see deficit of about \$50,000. Second contingency of \$802,440, created by Buildings and Grounds Committee, was set aside primarily for any changes in construction budget, and the FF&E line item. A typical project runs a contingency of 3 to 5 %. This project is at about 1.8%. Buildings A and B are on schedule in terms of completion, with November 1<sup>st</sup> target occupancy date for Building A, and first quarter 2003 for Building B. Litwin offered to discuss details of the project budget with any supervisor desiring to do so. AP has been able to offer deduct of \$250,000 in labor charge, because of the project's finishing schedule. This may increase by \$50,000 to \$100,000 if the project stays on target. Aegis reports

this is one of the safest projects thus far on their books. Litwin will provide a copy of his budget report for each supervisor. Discussion of the jail error and its resolution followed. There will be no cost to the county. Liebaert stressed his belief that the important thing is this building be built right, that it be quality with no oversights. Litwin applauded the leadership of the County Board and their commitment to this project on behalf of the community. Malin indicated there is a good amount of information on the county's website including MOU, budget, questions on alternatives on the original schematic design, and encouraged people to use it.

## **RESOLUTIONS**

### **RESOLUTION #33-02**

#### **RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales

WHEREAS, Douglas County has advertised for sale various parcels of land on March 1, 8 and 15, 2002 in accordance with Section 75.69 of the Wisconsin Statutes and the highest bids received are as follows:

- \$ 41,000.00 Parcel 8-02: Southwest 1/4 of the Northeast 1/4 of the Southeast 1/4, except a 100 foot wide multi-use recreation trail easement along the former railroad right-of-way (50 feet on both sides from the center line of the old railroad grade) and the Northeast 1/4 of the Southeast 1/4, except Interstate Transfer RY right-of-way and Superior Water, Light and Power easement described in 413 RP 672, Section 8-48-13, Town of Parkland, from William A. Marsh. Intended Use: Hunting and recreational.
  
- \$ 210.00 Parcel 14-02: Lot 29, Block 29, Brule 1<sup>st</sup> Division, Town of Brule, from Timothy Follis. Intended Use: Owns surrounding property.
  
- \$ 600.00 Parcel 15-02: A strip of land along the East side of the Southeast 1/4 of Northeast 1/4, which is described as follows: Beginning at the quarter corner between Section 12-47-10 and Section 7-47-9, running west 95 feet to the west boundary line of the road, thence north 1,310 feet, then east 63 feet, then south 1,310 feet to the place of beginning, said parcel contains 2.25 acres more or less in Section 12-47-10, Town of Brule, described in 248 Deeds, Page 280, from Robert Clark, Jr. Intended Use: Owns adjacent property and would complete his 40 acres.
  
- \$ 1,670.00 Parcel 16-02: A parcel of land located in Southeast 1/4 of Southwest 1/4 of Section 21-47-10 and Northeast 1/4 of Northwest 1/4 of Section 28-47-10, described as follows: Commencing at the Southeast corner of the Northeast 1/4 of Northwest 1/4 of Section 28-

47-10, thence West along the South line of the Northeast 1/4 of Northwest 1/4, a distance of 1,139.5 feet to an iron pipe which is point of determination; thence angle to the right 90 degrees a distance of 1,544.4 feet to an iron pipe, thence angle to the left 8 degrees 20 minutes a distance of 196.5 feet, thence angle to the left 00 degrees 31 minutes a distance of 208.0 feet to an iron pipe located on the south side of the Nebagamon River, which is known as the place of beginning; thence retracing to point of determination, thence angle to right 90 degrees a distance of 47.9 feet to an iron pipe, thence angle to the right 90 degrees a distance of 1,544.5 feet to an iron pipe, thence angle to left 11 degrees 02 minutes 359.5 feet to an iron pipe, thence angle to the left 10 degrees 28 minutes 95.0 feet to an iron pipe located on the south bank of Nebagamon River, thence Southeasterly along the waters edge of the Nebagamon River, a distance of 100.0 feet to the place of beginning, Town of Brule, from Robert Anderson. Intended Use: Recreational.

- \$ 8,101.00 Parcel 17-02: Southeast 1/4 of Northwest 1/4, lying North of the Tri-County Corridor Trail Right-of-Way, Section 9-47-10, Town of Brule, from Bruce Hofstedt. Intended Use: Owns adjacent property - hunting and firewood.
- \$ 3,330.00 Parcel 18-02: Lots 45, 46, 47, 48 and 49, Superior Allouez Bay Division, Town of Parkland, from James Norman. Intended Use: Owns adjacent property.
- \$ 2,601.00 Parcel 22-02: Lots 273, 275, 277, 283, 285 and 287, Block 31, Industrial Center, East 10<sup>th</sup> Street, City of Superior, known as 3918-3922 and 3929-32 East 10<sup>th</sup> Street, from Kevin Mackie. Intended Use: Owns adjacent property.

NOW, THEREFORE, BE IT RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, that the County Clerk be authorized to execute a quit claim deed to the above named persons on the above named properties.

Dated this 11<sup>th</sup> day of April, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$57,512.00)

ACTION: Motion by Allen, second Glenn, to adopt. Motion carried

**RESOLUTION #34-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales - Special

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve sale of the following described properties, which were previously advertised and did not sell:

- \$ 28,275.00 Parcel 96-01: Northeast 1/4 of Northwest 1/4, Section 31-47-11, Town of Hawthorne, from Donald R. Thorp. Intended Use: Recreation and forestry.
- \$ 7,100.00 Parcel 103-01: Southeast 1/4 of Southwest 1/4, Section 33-48-15, Town of Superior, from Mark Mauer. Intended Use: Recreation.
- \$ 3,000.00 Parcel 60-01: Lot 67, Donald's Addition to Dowling Lake, Town of Oakland, from Donald R. Thorp. Intended Use: Recreation.

BE IT FURTHER RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, that the County Clerk be authorized to execute a quit claim deed to the above named persons on the above named properties.

Dated this 11<sup>th</sup> day of April, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$38,375.00)

ACTION: Motion by Allen, second James Cosgrove, to adopt. Motion carried.

**RESOLUTION #35-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Wetland Mitigation

WHEREAS, Superior Water, Light and Power Company is constructing a new natural gas-fired electric generating station in Superior, Wisconsin, and

WHEREAS, the new electric generating station is referred to as the "Superior Generation Project" and will be owned and operated by Rainy River Energy Corporation, and

WHEREAS, the proposed site for the Superior Generation Project is located near the Stinson Substation and Enbridge Energy Partners' petroleum storage facility, and

WHEREAS, the purpose of the project is to supply peak electric power to meet the growing demand for additional electric power, which will enhance the existing energy supply infrastructure and provide direct economic benefits to the Superior region, and

WHEREAS, the proposed site contains wetlands that will be impacted by the Superior Generation Project (1.96 acres of temporary impact and 4.08 acres of permanent impact) and compensatory wetland mitigation for both temporary and permanent wetland impacts is a condition of state and federal permits and approvals required for this project, and

WHEREAS, wetlands temporarily impacted during construction will be restored on-site; wetlands permanently impacted will require compensatory wetland mitigation at an off-site location, requiring that 6.12 acres of compensatory wetland be established to compensate for the permanent wetland impacts, and

WHEREAS, King Environmental & Planning conducted an investigation of alternative compensatory wetland mitigation sites and focused on sites owned by Douglas County and the City of Superior which were potentially available for mitigation use, 10-15 acres or larger in size, and had landscape features conducive to the establishment of compensatory wetlands, and

WHEREAS, several sites were considered, with a request presented to the Land and Development Committee to allow mitigation of a specific piece of county-owned land located in the Town of Parkland.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve the use of the following described property for mitigation (hereinafter referred to as the "Conservancy Area"):

Approximately **Not more than** ten acres located in part of the Northwest 1/4, Northeast 1/4, and Southeast 1/4 of the Southwest 1/4, Section 16, Township 48 North, Range 13 West, Douglas County, Wisconsin. The Conservancy Area is located between the Wal-Mart and Superior Airport Mitigation sites. Approximate boundary of the wetland compensatory mitigation site is shown on Exhibit A-4-02.

WHEREAS, the approximately ten acres of sedge/wet meadow, shrub swamp, and shallow/deep marsh wetlands and upland buffer areas shall be established within the Conservancy Area, and

WHEREAS, the regulatory agencies and permittee desire and intend that the natural elements and ecological functions and values of the Conservancy Area be improved and preserved in perpetuity by placing the following land use restrictions on the Conservancy Area:

1. **USES.** There shall be no commercial or industrial activity undertaken or allowed;
2. **BUILDINGS AND STRUCTURES.** There shall be no buildings, dwellings, barns, roads, advertising signs, billboards, or other structures not related to conservation of wetland-based recreation or education purposes built or placed in the Conservancy Area;

3. LAND DISTURBANCE. There shall be no dredging, filling, excavating, mining, logging, drilling, or removal of any topsoil, sand, gravel, rock, minerals, or other materials within the Conservancy Area except in conjunction with authorized management activities;
4. DUMPING/DISPOSAL. There shall be no dumping of trash, plant materials or compost, ashes, garbage or other unsightly or offensive material, especially including any hazardous or toxic waste;
5. WATER. The hydrology of the Conservancy Area will not be altered in any way or by any means including pumping, draining, diking, impounding or diverting surface or groundwater into or out of the Conservancy Area except in conjunction with authorized management activities;
6. AGRICULTURAL USES. All agricultural uses are prohibited (e.g., plowing, tilling, haying, cultivating, planting, or other agricultural activities). This does not include native seed production activities, mowing, planting, or herbicide use conducted for the purposes of enhancing the ecological functions and values of the Conservancy Area. Douglas County may not stock animals or allow grazing of animals within the Conservancy Area without prior written authorization of the regulatory agencies;
7. NOXIOUS WEEDS. The permittee is responsible for compliance with all federal, state, and local laws governing the control of noxious weeds within the Conservancy Area; and
8. MOTORIZED VEHICLE USE. There shall be no operation of any motorized vehicle or equipment within the Conservancy Area except in conjunction with authorized management activities.

WHEREAS, existing property easements, lease agreements, and resolutions relating to the subject land within the Conservancy Area shall remain effective in the same manner as prior to this resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors set aside the Conservancy Area in perpetuity and preserve its natural elements and ecological functions and values as a wetland compensatory mitigation site.

BE IT FURTHER RESOLVED, that use of this property as a mitigation site is contingent upon payment of \$5,000.00 to Douglas County, with ~~\$1,000.00~~ **\$2,500.00** of that amount to be paid to the Town of Parkland.

Dated this 11<sup>th</sup> day of April, 2002.

(Committee Action: Unanimous)

(Fiscal Note: ~~\$4,000.00~~ **\$2,500.00** revenue)

ACTION: Motion by Allen, second Martin, to adopt. Motion by Hooper, second James O'Brien, to amend second paragraph on page two, inserting "not more than ten acres" in place of "approximately". Motion carried. Motion by Hooper, second Zukowski, that payment of \$1,000 to be paid to Town of Parkland be amended to \$2,500, and amend the fiscal note to reflect this amount. Motion carried. Parkland has been reluctant with adding any more mitigation areas. Discussion. Motion to adopt resolution, as amended, carried.

**RESOLUTION #36-02**

**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Transfer of Property to City of Superior

WHEREAS, the City of Superior is desirous of obtaining ownership of a 21-acre strip of land located adjacent to the Globe Elevator site in the north end of the City of Superior, and

WHEREAS, the City of Superior is currently in the process of acquiring other properties in the area for tourism/recreational opportunities that have been identified through the Tower Avenue Streetscape planning process.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and transfer ownership of the following described property to the City of Superior:

A certain strip, piece, or parcel of land comprising parts of Sections 10 & 15-49-14 bounded and described as follows: Commencing at the center of said Section 15 and running thence West 9 feet on the East and West center line of said Section 15 to the East line of the N.P. RY. Right-of-Way; thence North along said East line of said Right-of-Way 2078.47 feet to a point which is the place of beginning; running thence North 3995.3 feet along said East line of said Right-of-Way to the established dock line in St. Louis Bay; thence North 62 degrees 17 minutes East along said dock line 339.82 feet thence South 5783.38 feet on a line drawn parallel with the center line of said Right-of-Way and at a distance of 350 feet East therefrom, thence West 90 feet on a line drawn at right angles to the last mentioned course; thence in a northwesterly direction at a north angle of 54 degrees 51 minutes with the last mentioned course 104.22 feet; thence North 1543 feet on a line drawn parallel with the East line of said Right-of-Way and distant 150 feet therefrom; thence West 150 feet on a line drawn at right angles to the last mentioned course to place of beginning.

BE IT FURTHER RESOLVED that transfer of this property is contingent on the City of Superior agreeing that any future net sale proceeds be divided equally between Douglas County and the City of Superior.

**BE IT FURTHER RESOLVED, that if after five years, development or sale of property has not commenced or occurred, ownership reverts to Douglas County.**



Dated this 11<sup>th</sup> day of April, 2002.  
(Committee Action: Unanimous)  
(Fiscal Note: Undetermined)

ACTION: Motion by Prettie, second Conley, to adopt. Motion by Browne, second Zukowski, to amend resolution adding “Be it Further Resolved, that if after five years, development or sale of property has not commenced or occurred, ownership reverts to Douglas County.” Conley indicated that he did not know if the city would be selling property in this project, and the city has a long range plan for development which may take longer than five years. Zukowski supported the amendment but not the resolution, because there is no price on the property, and he does not support the county giving land away. Prettie, who is on the StreetScape Committee, indicated the city plans do not include selling the property but developing it for the community, and this depends on grant dollars and revenue. She did not support the five year provision. Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #37-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Transfer of Property to City of Superior

WHEREAS, the Land and Development Committee and Representatives of the City Planning Department have discussed the concept of assembling property within the City of Superior for development purposes, and

WHEREAS, the City of Superior is in the process of identifying several areas of property which have adjacent city and county owned property and would be appropriate for development, and

WHEREAS, a specific area in South Superior has been identified as suitable for a “pilot project”, with the city intending to rezone the area to accommodate single-family/two-family housing and further develop the property with the required infrastructure, with possible municipal sewer service to this area, and

WHEREAS, the proposed development would allow moderate-income families the opportunity to purchase a large lot at a reasonable price and result in a much needed tax base.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and transfer ownership of the following described property to the City of Superior:

Lots 1, 2, and 22 through 34 Inclusive, Block 9 and Lots 10, 11, 31, and 32, Block 10, Butler Park in City of Superior.

BE IT FURTHER RESOLVED that transfer of this property is contingent on the City of Superior agreeing that any future net sale proceeds, after infrastructure costs, be divided equally between Douglas County and the City of Superior.

**BE IT FURTHER RESOLVED, that if after five years, development or sale of property has not commenced or occurred, ownership reverts to Douglas County.**

Dated this 11<sup>th</sup> day of April, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Undetermined)

ACTION: Motion by Allen, second Hooper, to adopt. Motion by Browne, second Liebaert, to amend resolution adding “Be it Further Resolved, that if after five years, development or sale of property has not commenced or occurred, ownership reverts to Douglas County.” Discussion on proceeds should land be sold. Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #38-02  
RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Transfer to City of Superior for Industrial Park

WHEREAS, the City of Superior would like to develop an industrial park, to be known as Winter Street Industrial Park, on property shown on Exhibit B-4-02, and

WHEREAS, the City of Superior has proceeded with development of a project area plan for the Winter Street Industrial Park, and

WHEREAS, Douglas County owns property within the proposed industrial park, which the City of Superior needs to acquire to proceed with development plans.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and transfer ownership of the following described property to the City of Superior:

~~Parcel #04-804-01015-00 - Those portions of Lots 3 & 4, Section 16, Township 49, Range 14 bounded as follows: On the South by a line drawn parallel with Northerly of and distant 306 feet from the East and West center line of said Section 16 on the East by a line described as follows: Commencing at the centerline of said Section 16, thence West along the East and West centerline of said section a distance of 1,261.25 feet, thence in a straight line to the right at an angle of 90 degrees 1 minute with said East and West centerline a distance of 306 feet to point of beginning; thence continuing in the straight line of the established dock line on the South side of St. Louis Bay;~~

on the North, Northwest and West sides by the established dock line on the Southerly side of St. Louis Bay.

~~Parcel #04-01025-00 - That part of Lot 3, Section 16, Township 49, Range 14, described as follows: Bounded on the South by a line drawn Northerly of parallel with and distant 306 feet from the East and West Center Line of said Section 16; On the North by the established dock line on the South side of St. Louis Bay; On the East by a line described as follows: Commencing at the center of said Section 16, thence West along the East and West center line of said Section a distance of 261.25 feet thence in a straight line to the right at an angle of 90 degrees 1 minute with the East and West center line of said Section a distance of 306 feet to point of beginning, thence continuing on the same straight line to the established dock line on the South side of St. Louis Bay and on the West by a line drawn parallel with and 1000 feet distant, westerly from the easterly boundary line of the tract herein described except right-of-way (1.21 acres), except that part conveyed in 205 Deeds Page 220 and except part conveyed in 472 Records Page 508.~~

Parcel #04-804-1023-00 - All that portion of Section 16, Township 49, Range 14, bounded as follows: On the East by the North and South Quarter line of said Section 16, on the North by a line parallel with and distant 75 feet North of the East and West Quarter line of said Section 16, on the west by the Easterly boundary line of the property of the N. St. P. & S. S. M. Railway Co. As described in deed from the USCIP & Foundry Co. As recorded in Volume 115 of Deeds Page 70 and bounded on the South by a line parallel with and 33 feet distant North of the East and West Quarter line of said Section 16, being a strip 42 feet in width subject to the condition described in a certain deed from the USCIP & Foundry Co. on April 25, 1913 .

~~Parcel 04-804-01027-00 - That part of Lot 3, Section 16, Township 49, Range 14, described as follows: Bounded on the South by a line parallel with and distant 306 feet North of the East and West center line of said Section 16, on the North by the Dock line as now established on the south side of St. Louis Bay by the U.S. Government. On the East and a Line described as follows: Commencing at the center line of said Section 16, thence West along the East and West center line of said Section a distance of 561.25 feet, thence in a straight line to the right in a Northerly direction at an angle of 90 degrees 1 minute with said East and West Center line of said Section a distance of 306 feet to a point which is the point of beginning of the East Boundary line, thence continuing on the same straight line Northerly to the dock line as now established on the South side of St. Louis Bay on the West by a line parallel with and distant 400 feet westerly from the easterly boundary line of tract herein described. Conveyed in Volume 205 Deeds Page 220, except part conveyed in Volume 472 Records Page 508.~~

BE IT FURTHER RESOLVED that transfer of this property is contingent upon the City of Superior agreeing that any future net sale proceeds, after infrastructure costs, be deposited with the Douglas County Revolving Loan Fund.

Dated this 11<sup>th</sup> day of April, 2002.  
(Committee Action: Unanimous)  
(Fiscal Note: Undetermined)

ACTION: Motion by Martin, second Allen, to adopt. Motion by Allen, second Browne, to amend the resolution and delete parcels numbered 1, 2 and 4, as these were transferred to the city in 1987 but never changed on tax rolls. Motion carried. Motion by Allen, second Browne, to amend resolution adding, "Be it Further Resolved, that if after five years, development or sale of the property has not commenced or occurred, ownership reverts to Douglas County." Discussion that this reversionary clause might cause problems for the city. Motion by Allen, second John Cosgrove, to refer this resolution back to the Land and Development Committee, and request that the amount of land be indicated on resolution when it comes back to Board. Motion to refer the resolution, as amended, carried.

**RESOLUTION #39-02**  
**RESOLUTION BY THE DOUGLAS COUNTY**  
**BOARD OF SUPERVISORS**

Subject: Assembly Bill 476 Opposed

WHEREAS, Assembly Bill 476 has been introduced in the State Legislature which would require counties to provide, as a tax credit, all net proceeds generated from the sale of timber from county owned property, and

WHEREAS, for Douglas County in the year 2000, this would have resulted in a loss of \$571,000 in income before operating transfers, and

WHEREAS, this revenue was utilized to offset county property tax levy and provide services to the citizens of Douglas County, and

WHEREAS, the loss of this revenue would require the County to either increase property taxes by at least the amount of the property tax credit, or decrease services provided to the elderly, mentally ill, disabled, veterans, law enforcement, and county highway system, and

WHEREAS, the loss of this revenue would severely impact the management and maintenance of the County forest, parks, boat landings, and the areas that greatly benefit the tourism industry of Douglas County.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors go on record strongly opposing AB475.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Governor, Senator Bob Jauch, Representative Frank Boyle, the Wisconsin Counties Association, and the Wisconsin County Forestry Association.

Dated this 11<sup>th</sup> day of April, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Shepard, second John Cosgrove, to adopt. Motion by Zukowski, second Hooper, to amend resolution to come from the entire County Board. Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #40-02**  
**RESOLUTION BY THE DOUGLAS COUNTY**  
**BOARD OF SUPERVISORS**

Subject: Wisconsin Conservation Corps Supported

WHEREAS, the Douglas County Forest, Parks & Recreation Committee has sponsored fifteen Wisconsin Conservation Corps crew projects, and

WHEREAS, through meaningful work experiences and training opportunities, the Wisconsin Conservation Corps will help local unemployed young adults develop work skills, discipline, ethics, and appreciation and better understanding of the natural resources of Douglas County, and

WHEREAS, Douglas County recognizes the need for a program of this nature to assist the young people of the region.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors, in a regular meeting assembled, does hereby pledge it's support to the Wisconsin Conservation Corps and,

BE IT FURTHER RESOLVED that the Douglas County Board of Supervisors also requests that our local legislative representatives support the Wisconsin Conservation Corps program during the budget process.

Dated this 11<sup>th</sup> day of April, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Conley, second Allen, to adopt. Motion by Zukowski, second McKenzie, to amend resolution to come from entire County Board. Motion carried. Motion to adopt resolution as amended, carried.

**RESOLUTION #41-02**  
**RESOLUTION BY THE LAW ENFORCEMENT COMMITTEE**

Subject: First Call Alert System Contract

WHEREAS, Douglas County and the City of Superior have recognized the need for notification of large numbers of people in the event of major emergencies, and

WHEREAS, computer-generated dialing services are able to provide telephone notification to large numbers of residents in emergency areas, and

WHEREAS, the Murphy Oil and Dome Petroleum Companies have offered to pay the initial implementation costs and the annual fees of a first call alert system within the City of Superior and Douglas County, and

WHEREAS, it is in the interests of Douglas County and the City of Superior to cooperate in obtaining a first call alert system to notify its residents in the event of an emergency,

NOW, THEREFORE, BE IT RESOLVED that the chairperson of the Douglas County Board is hereby authorized to enter into a final contract with the City of Superior and the FirstCall Interactive Network to implement a first call alert system upon prior review of such agreement by the Corporation Counsel.

**BE IT FURTHER RESOLVED that there be no cost to Douglas County in the future, except for computer line hourly rate if activated or tested by the County.**

Dated this 11<sup>th</sup> day of April, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Quam, second John Cosgrove, to adopt. Lengthy discussion followed on any potential costs to county, commitment of Dome Petroleum and Murphy Oil, effectiveness of the system reaching the entire county, and how the system works. In event of county emergency, cost would be \$40 per link. Motion by Allen, second Prettie, to amend resolution and add "Be it Further Resolved, that there be no cost to Douglas County in the future, except for computer line hourly rate if activated or tested by the

County.” Emergency Management Director Kesler suggested the only problem with the amendment would be if Murphy or Dome ever withdrew their support for the annual fee of \$7,852. Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #42-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Register of Deeds Office Utilization of VitalChek Network, Inc.

RESOLVED that the Douglas County Board of Supervisors approves the recommendation of the Administration Committee to allow the Register of Deeds Office to utilize VitalChek Network, Inc., for remote order document processing, at no cost to Douglas County.

Dated this 11<sup>th</sup> day of April, 2002.  
(Committee Action: Unanimous)  
(Fiscal Note: None)

ACTION: Motion by Allen, second Martin, to adopt. Motion carried.

**RESOLUTION #43-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Supplemental Life Insurance Option

RESOLVED that the Douglas County Board of Supervisors pursuant to Chapter 40 of the Wisconsin Statutes, accepts the recommendation of the Administration Committee and allow Douglas County employees the option to purchase life insurance, up to five (5) times their annual salary (approved through the Wisconsin Retirement System), at their own expense (Supplemental Group Life Insurance Units 2 and 3).

BE IT FURTHER RESOLVED that the proper officers are herewith authorized and directed to take all actions and make such deductions and submit such payments as are required by the Group Insurance Board of the State of Wisconsin to provide such group life insurance.

BE IT FURTHER RESOLVED that the Douglas County WRS Agent submit a certified copy of this resolution to the State of Wisconsin Department of Employee Trust Funds.

Dated this 11<sup>th</sup> day of April, 2002.  
(Committee Action: Unanimous)  
(Fiscal Note: None)

ACTION: Motion by Shepard, second John O'Brien, to adopt. Motion carried.

**RESOLUTION #44-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Budgetary Transfers

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve the following transfer:

Veterans Department - \$12,000 (J.E. #96084 - Transfer from reserve to purchase new van.) No fiscal impact.

Dated this 11<sup>th</sup> day of April, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

(Administrative Note: Two-thirds vote of Board-elect required)

ACTION: Motion by Conley, second James O'Brien, to adopt. Roll call vote taken and passed with 24 Ayes, 0 Noes, 6 absent. Absent were Olson, Waterman, Robinson, Smith, Kallstrom, Coletta.

**RESOLUTION #45-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Tax Deed Public Notice Fee Increase

RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee, and ~~approves increasing the fee for tax deed public notice from \$9.00 to \$30.00:~~ **authorizes the County Treasurer to allocate the actual publication costs to the parcels involved on a pro rata basis.**

~~BE IT FURTHER RESOLVED that this increase is necessary to recover the actual costs of publishing the tax deed notices.~~

Dated this 11<sup>th</sup> day of April, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Recoup actual costs incurred)



**ACTION:** Motion by Glenn, second Allen, to adopt. Motion by Allen, second Hooper, to amend resolution deleting “approving increase from \$9 to \$30,” in last line of first paragraph and inserting “authorizes the County Treasurer to allocate the actual publication costs to the parcels involved on a pro rata basis,” and delete last paragraph. Motion carried. Motion to adopt resolution, as amended, carried.

**ADMINISTRATIVE COORDINATOR REPORT:** Koszarek summarized the building project’s history which was presented earlier today. Most significant part of the presentation was additional dollars generated by improved bonding and interest. Kitchen and laundry equipment for new jail still need to be resolved. A document on this will be brought before the Buildings and Grounds Committee, and will end up before the board. Proposal should be ready in May. It was clarified that the budget increase is not project costs, but is due to additional funds available and will not affect the levy. Debt service is already in the levy. With the additional funds generated through the bonding interest, there are options to pay it back or use it for the project in some way. Options for how to use that interest will be presented at a later date.

### **COUNTY BOARD CHAIR REPORT AND APPOINTMENTS**

**Cooperation with City on Shared Services:** Meetings are on-going, and options being developed.

**Arrowhead to Weston Power Line:** Finn reviewed meeting yesterday in Spooner with four other counties to discuss options available to counties. Plan to meet again in the next few months. Liebaert attended the meeting, and added it was an encouraging meeting, and noted that other counties are looking to Douglas County as a leader in this power line project. The alternative route being proposed goes through Brule River State Forest, and there is no way this will happen. Liebaert thanked Finn and others who made this meeting happen. Washburn County may be considering a substation to get power off this power line. Numerous letters, faxes and phone calls being received congratulating and thanking Douglas County for opposing the line.

**Orientation for Supervisors:** Wednesday, April 17, 9 to 4 pm., 207 C of the Courthouse.

### **COMMITTEE REPORTS**

Zukowski reported Buildings and Grounds Committee working diligently on the Metro Center project. 45 days without accident. Special meeting next Thursday, to include conference call with Bill Cunningham, Potter Lawson, on smoke alarms system.

McKenzie reported Northern Waters Library Board met last quarter, and discussions continue on library user fees for services. Though at half the normal staffing, library is still providing services. Supervisors and residents are encouraged to write legislators supporting continued funding for library services through the state budget.

K. Johnson reported Recycling/Solid Waste Committee working on recycling for computers. Library Planning Committee considering usage fee for out-of-state people.

Quam reported Board of Health will meet next month and final financial reports will be ready.

C. Johnson reported that under Rural Housing, Rannenberg has jurisdiction over some sewer systems in the city, and one lateral system was hooked up at a cost of \$12,000. Looking at an application alternative for hooking up to the city's system. Chair Finn suggested getting contacting Northwest Regional Planning Commission, to apply for some remaining grant dollars.

C. Johnson reported Law Enforcement Committee received a letter from Sheriff commending two deputies, Brad Hoyt and Cory Knudson, who were instrumental in apprehending bomb scare caller to SMDC.

Health and Human Services Consolidation Plan: Koszarek has been meeting with Schanen and Heiser, and it is his belief that there could be a cost savings of about \$100,000. This does not touch Home Care, but would include clerical and bookkeeping. Conley strongly suggested that there be numbers and related services in the final report, to help the supervisors find justification for the merger. There are areas that will need to be scrutinized for provision of all services, so none are lost through the cracks. Models for the merger are from other counties.

**APPROVAL OF BILLS AND CLAIMS:** Motion by Pinkoski, second James O'Brien, to approve. Motion carried.

**SUCH OTHER MATTERS AS AUTHORIZED UNDER THE WISCONSIN STATUTES:** Browne alerted supervisors to forthcoming informational materials on dangers of barrel burning.

**ADJOURNMENT:** Motion by John Cosgrove, second Allen, to adjourn. Motion carried. Next regularly scheduled meeting - May 16, 2002. Reorganization meeting - April 16, 2002, 5:30 p.m.

Submitted by,

Susan T. Sandvick  
Douglas County Clerk

**PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS**  
**Tuesday, April 16, 2002, 5:30 p.m., City-County Complex Chambers**  
**1409 Hammond Avenue, Superior, Wisconsin**

The Douglas County Board of Supervisors met pursuant to Chapter 59.04 in reorganization at the City-County Complex Chambers, Superior, Wisconsin, at 5:30 p.m., on Tuesday, April 16, 2002.

Meeting called to order by Susan T. Sandvick, County Clerk.

Pledge of Allegiance recited.

The "Oath of Office" was taken by Supervisors present. Judge Michael T. Lucci conducted the ceremony, leading them in unison. Certifications of Supervisors were as follows:

1 <sup>st</sup>	Douglas G. Finn
2 <sup>nd</sup>	Robert D. Browne
3 <sup>rd</sup>	John O'Brien
4 <sup>th</sup>	Michael L. Glenn
5 <sup>th</sup>	Carl J. Zukowski
7 <sup>th</sup>	Stephen Ward
8 <sup>th</sup>	Lew Martin
9 <sup>th</sup>	Bean Prettie
10 <sup>th</sup>	John Robinson
11 <sup>th</sup>	David K. Conley
12 <sup>th</sup>	Terry Waterman
13 <sup>th</sup>	Lawrence J. Quam
14 <sup>th</sup>	James J. O'Brien
15 <sup>th</sup>	Kathryn McKenzie
16 <sup>th</sup>	John R. Shepard, Sr.
17 <sup>th</sup>	Louis Willie
18 <sup>th</sup>	Keith A. Allen
19 <sup>th</sup>	Patricia Ryan
20 <sup>th</sup>	Therese Hooper
21 <sup>st</sup>	Kay F. Johnson
22 <sup>nd</sup>	Charles J. Pleski
23 <sup>rd</sup>	Wes Johnson
24 <sup>th</sup>	Mark Liebaert
26 <sup>th</sup>	Carol J. Johnson
27 <sup>th</sup>	James P. Cosgrove
28 <sup>th</sup>	Jan Jensen

Roll call was taken by County Clerk Susan T. Sandvick. There were 26 present, 2 absent. Absent and excused was Supervisor Anthony R. Coletta-25th District. Absent was Supervisor Bill Eckman-6th District.

## **ELECTIONS**

### **TEMPORARY CHAIR**

Hooper nominated John R. Shepard, Sr. as temporary Chair. Nominations were called for. Motion by Hooper, second Cosgrove, to close nominations and cast unanimous ballot for Shepard. Motion carried.

### **COUNTY BOARD CHAIR**

Nominations were called for. Hooper nominated Douglas G. Finn. Motion by Quam, second Martin, to close nominations and cast unanimous ballot for Finn. Motion carried.

### **COUNTY BOARD VICE CHAIR**

Nominations were called for. Willie nominated Keith Allen. Motion by Glenn, second Hooper, to close nominations and cast unanimous ballot for Allen. Motion carried.

### **COUNTY BOARD SECOND VICE CHAIR**

Nominations were called for. Ryan nominated Carl Zukowski. Motion by Martin, second Glenn, to close nominations and cast unanimous ballot for Zukowski. Motion carried.

### **COUNTY BOARD THIRD VICE CHAIR**

Nominations were called for. Hooper nominated Carol Johnson. Motion by Cosgrove, second Glenn, to close nominations and cast unanimous ballot for C. Johnson. Motion carried.

### **HIGHWAY COMMITTEE**

Nominations were called for. Cosgrove nominated Shepard. Quam nominated K. Johnson. Zukowski nominated Hooper. Shepard nominated Cosgrove. Allen nominated W. Johnson. James O'Brien nominated John O'Brien. W. Johnson nominated Lou Willie. Motion was made and seconded to close nominations. Motion carried. (Votes to be cast for up to five, with those five receiving the highest number of votes composing the committee.) Ballots were cast and counted, with Shepard receiving 25; K. Johnson receiving 21; W. Johnson receiving 21; Cosgrove receiving 18; O'Brien receiving 17; Hooper receiving 14; Willie receiving 11.

### **HIGHWAY COMMITTEE CHAIR**

Nominations were called for. Quam nominated John R. Shepard, Sr. Motion by McKenzie, second Zukowski, to close nominations and cast unanimous ballot for Shepard. Motion carried.

### **HIGHWAY COMMITTEE VICE CHAIR**

Nominations were called for. Hooper nominated K. Johnson. John O'Brien nominated Cosgrove. Motion by James O'Brien, second W. Johnson, to close nominations. Motion carried. Ballots were cast and counted with K. Johnson receiving 16; Cosgrove receiving 10.

### **ADMINISTRATIVE COORDINATOR REPORT**

Koszarek reported notice just received on problem in the jail and a resolution is close at hand. Big thing that needs to be done now is getting some organization ready for the move.

### **COUNTY BOARD CHAIR REPORT AND APPOINTMENTS**

Sandvick passed out list of all committees for supervisors to indicate their interest in serving on various committees. Deadline is April 26<sup>th</sup> to return to the County Board Chair. In the meantime, new supervisors will take the place of their predecessors, but not if the Chair is open. In the case of Ward, Finn asked him to serve on Pinkoski's committees. Eckman will serve on Smith's committees.

McKenzie asked about the sunset provision for the Administration Committee. She would like to see that committee elected by the Board and will present resolution to that affect.

Sandvick also noted the directory information sheet that needs to be updated and returned to County Clerk's office.

Finn reminded supervisors of orientation and training session tomorrow, from 9:00 a.m. to 4:00 p.m., Room 207C of the Courthouse.

### **SUCH OTHER MATTERS AS AUTHORIZED UNDER WISCONSIN STATUTES:**

Zukowski requested Koszarek again to provide in writing the deadlines and schedules on the Metro Center project.

**ADJOURNMENT:** Motion by C. Johnson, second Quam, to adjourn. Motion carried. Meeting adjourned at 6:00 p.m. Next regularly scheduled meeting is May 16, 2002.

Submitted by,

Susan T. Sandvick  
Douglas County Clerk

**PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS**  
**Thursday, May 16, 2002, 6:00 p.m., City-County Complex Chambers**  
**1409 Hammond Avenue, Superior, Wisconsin**

Meeting called to order by Chairman Douglas Finn.

Pledge of Allegiance recited.

Roll call taken by County Clerk Susan T. Sandvick.. There were 26 present, 2 absent. Absent and excused were Stephen Ward and Lew Martin. Quam left at 8:30 p.m.

Motion by Shepard, second C. Johnson, to approve minutes of the April 11, 2002 and April 16, 2002 meetings. Motion carried.

**CLAIMS AGAINST THE COUNTY**

Summons and Complaint from Attorney Michael J. Milliken, on behalf of Dennis E. Almer II, alleging damages for injury sustained while a spectator at the Tri-State Fairgrounds.

Notice of Claim and Claim from Attorney Scott W. Clark, on behalf of Richard Fuller and Priscilla Strang, parents of Kenneth LeRoy Fuller, alleging damages for the wrongful death of Kenneth LeRoy Fuller caused by deputies of the Douglas County Sheriff's Department. (Insurance company recommending disallowance.) Motion by Hooper, second Cosgrove, to deny claim from Attorney Scott W. Clark. Motion carried.

**CORRESPONDENCE**

1. National Organization on Disability, letter encouraging appointment of qualified individuals with disabilities to serve on local community disaster preparedness committee. Referred to County Board Chair.
2. Corps of Engineers, notification of intention to initiate a Findings of Suitability to Transfer property at Wisconsin and Left Hand Points, Superior, with summary of environmental baseline survey and request for comments. Referred to Land and Development Committee.
3. Wisconsin Department of Commerce, notification of approval for Douglas County's application for \$25,000 Public Facilities Emergency Grant award to conduct an economic development plan. Received and placed file.
4. Enbridge Energy, notification of upcoming pipeline maintenance, to include that which traverses Douglas County property. Referred to Land and Development Committee.

5. Juneau and Winnebago County Boards, resolutions on state share of funding for long-term mental health inpatient hospitalization at state institutions. Referred to Human Services Board.
6. UW-Extension, thank you to Doug Finn for testifying at Senate budget hearing. Received and placed on file.
7. Solon Springs/Gordon Airport Commission, notice of public hearing June 3, 2002 regarding expansion of runway. Referred to Land and Development Committee.
8. Department of Natural Resources, severance share on wood products from county forest lands. Referred to Forest, Parks and Recreation Committee.
9. Dunn County, resolution encouraging legislation to allow \$1 increase in recording fee for documents in the Register of Deeds office. Referred to Administration Committee.
10. Dunn County, resolution recommending framework for comprehensive solution to State's fiscal crisis. Received and placed on file.
11. Department of Revenue, notice of county's exempt computer state aid of \$40,217.00 for year 2002. Referred to Administration Committee.
12. Department of Transportation, relocation order and map for acquisition of certain lands for improvement of STH 2 Clevedon Road - Sznaider Road project. Referred to Highway Committee.
13. Governor Scott McCallum, letter to County Clerk Sandvick in response to Douglas County's resolution opposing Governor's proposed budget eliminating shared revenue. Received and placed on file.
14. Winnebago County, resolution opposing change in the 1872 free library statute principles for free access to public library and information services; and, opposing reduced funding for public library system services. Referred to Administration Committee and Library Board Planning Committee.
15. Robert D. Valois, letter supporting Arrowhead-Weston power line. Received and placed on file.
16. Department of Transportation, revision to right-of-way plat for Nemadji River bridge and approaches, project 8010-3421. Referred to Highway Committee.
17. St. Croix Tribal Council, project overview on the St. Croix Energy Project. Received and placed on file.

18. Public Service Commission, notification packet on Rainy River Energy Corporation regarding Superior Generation Project. Referred to Land and Development Committee.
19. Wisconsin Alliance for Fair Contracting, notification that they will be monitoring the Metro Center building project for compliance with worker wage and classification standards. Referred to Buildings and Grounds Committee.
20. Department of Transportation, official 2001 map of State Trunk Highway System for Douglas County. Referred to Highway Committee.

Correspondence not on agenda:

21. Wisconsin Counties Association, memo regarding deadline for submitting resolutions to WCA 2002 Convention. Referred to County Board Chair.
22. Department of Natural Resources, request to revoke air pollution control permit for facility that is permanent shut down. Referred to Zoning Committee.
23. Governor McCallum, thank you regarding receipt of Douglas County's resolution opposing Assembly Bill 475. Received and placed on file.
24. Donna McClellan, letter opposing Resolution #50-02, sale of land located in Itasca area, to City of Superior. Referred to Land and Development Committee.
25. Donna McClellan, letter opposing Resolution 48-02, refinancing of current Douglas County debt. Received and placed on file.

## **PRESENTATIONS**

James Litwin, Construction Project Manager, reported on Metro Center project progress. Aegis Corporation has projected \$320,000 refund if the trend continues with the project's low number of injuries. Project is proceeding well. A meeting was held with Corporation Counsel regarding a claim, and if any Board members have questions on anything, Litwin encouraged them to contact him. Willie questioned the number of errors being made in the project. Litwin indicated that in a \$42 million project mistakes happen, and these are being taken care of at no cost to the County. As to the fees for the Construction Manager, A&P and Litwin have reduced their fees by \$350,000. Discussion followed on the growth of the building project.

## **AMENDMENT TO ORDINANCE #8.0 ZONING ORDINANCE PRESENTED BY THE ZONING COMMITTEE**



THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF DOUGLAS DOES ORDAIN AS FOLLOWS:

WHEREAS, the Douglas County Zoning Committee held a public hearing on April 11, 2002 on the following petitions for amendment of the county zoning district ordinance map:

- (1) Northwest 1/4 of the Northeast 1/4, Section 27, T49N-R10W, Town of Cloverland. from F-1: Forestry to RR-1: Residential Recreation zoning district, by John and Anna McNeil and David and Wanda Zeug, c/o 911 South Lake Drive, Shell Lake, Wisconsin. Intended Use: Residential.
- (2) Part of Government Lot 6, Section 22, T45N-R10W, Town of Highland, from F-1: Forestry to A-1: Agriculture, by Bruce L. Smith, 1616 East 10th Street, Superior, Wisconsin. Intended Use: Horses.

WHEREAS, the Douglas County Zoning Committee held a public hearing on May 9, 2002, on the following petitions for amendment of the county zoning district ordinance map:

- (3) Part of the West 1/2 of the Southwest 1/4 of the Northeast 1/4, Lying East of Highway Right-of-Way (proposed Lot 1 of CSM), Section 9, T47N-R12W, Town of Amnicon, from F-1: Forestry to R-1: Residential, by David Bladecki, P.O. Box 23, Baldwin, Wisconsin. Intended Use: Residential.
- (4) East 1/2 of the North 1/2 of the Northeast 1/4 of the Northeast 1/4, Section 6, T45N-R14W, Town of Summit, from F-1: Forestry to R-2: Residential, by E T & L Enterprise (owners), John and Michelle Flanagan, (buyers), c/o 2139 190th Avenue, Centuria, Wisconsin. Intended Use: Residential.

WHEREAS, proof of publication of the notice of the public hearings, proof of giving notice to the town clerks of the hearings, and correspondence from the towns is as shown on Exhibit A-5-02.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Zoning Committee and approve the petitions.

BE IT FURTHER RESOLVED, that the County Clerk notify the town clerks of the action.

Dated this 16<sup>th</sup> day of May, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by C. Johnson, second Coletta, to adopt. Motion carried.

**RESOLUTION #46-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales

WHEREAS, Douglas County has advertised for sale various parcels of land on April 5, 12 and 19, 2002 in accordance with Section 75.69 of the Wisconsin Statutes and the highest bids received are as follows:

- ~~\$ 26,666.66 Parcel 10D-02 - Southwest 1/4 of Northwest 1/4, Section 12-48-13, Town of Parkland, from Greg Standen. Intended Use: Recreation.~~
- \$ 5,099.00 Parcel 13-02 - Lots 1 & 2, Block 2, Buffalo Pier, Block 14, Lake Street, Blocks 7 & 8, Block 8, Water Street, Block 14 & 15, Elm Street and Block 12, Walnut Street, McKenty's Addition, Town of Lakeside, from Terry Jahnke. Intended Use: Recreation.
- ~~\$ 35,333.33 Parcel 10F-02: North 1/3 of Southwest 1/4 (excluding property retained for access, to be more specifically described on deed), Section 12-48-13, Town of Parkland, from Greg Standen. Intended Use: Recreation.~~
- \$ 411.00 Parcel 25-02: East 35 feet of West 70 feet of Lots 1 and 2, Block 113, Hammond's 2<sup>nd</sup> Addition to West Superior, City of Superior, known as 1308 North 11<sup>th</sup> Street, from Randall Hadley. Intended Use: Owns adjacent property.
- \$ 750.00 Parcel 27-02: West 31.7 feet of Lots 1 and 2, Block 200, West Superior, 6<sup>th</sup> Division, City of Superior, known as 1412 N. 19<sup>th</sup> Street, from Diane Grymala. Intended Use: Owns adjacent property.
- \$ 1,570.00 Parcel 29-02: Fractional Lots 31 and 32, Block 36, South Superior La Belle Division, City of Superior, known as 5702-04 Butler Avenue from Lowell Haworth. Intended Use: Owns adjacent property; building site.
- \$ 2,500.00 Parcel 33-02: Lots 19 through 24 Inclusive, Block 12 and Lots 1 through 6 Inclusive, Block 52, East Superior 1<sup>st</sup> Division, Town of Parkland, from Brian Campshure. Intended Use: Building site.
- \$ 501.00 Parcel 35-02 : East 100 feet of Lot 12, Block 179, West Superior, 6<sup>th</sup> Division, City of Superior, known as 1723 Banks Avenue from Brian Androski. Intended Use: Owns adjacent property.

NOW, THEREFORE, BE IT RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute a quit claim deed to the above named persons on the above named properties.

Dated this 16<sup>th</sup> day of May, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by ~~\$72,830.99~~ \$10,831.00)

ACTION: Motion by Glenn, second Quam, to adopt. Hooper requested that a map indicating wetlands be shown to potential purchasers, so they know before the purchase is made. Motion by Browne, second Glenn, to amend resolution and refer parcels 10D-02 and 10F-02 back to Land and Development Committee for further investigation. There is a question of a possible land lock in that area. Motion to refer carried. Motion to adopt resolution as amended, carried.

**RESOLUTION #47-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales - Special

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve sale of the following described properties, which were previously advertised and did not sell:

- \$ 4,360.70 Parcel 37-02: Lot 6, Block 196, West Superior, 7<sup>th</sup> Division, City of Superior, known as 1911 Tower Avenue, from Jeanne Lindfors. Intended Use: Former owner - home.
- \$ 6,640.86 Parcel 38-02: Lots 19, 20, and 21, Block 10, South Superior LaBelle Division, City of Superior, known as 5428-32 Oakes Avenue, from Michael Rabideaux. Intended Use: Former owner - home.
- \$ 5,000.00 Parcel 81-99: Southeast 1/4 of the Southwest 1/4 of the Northeast 1/4, Section 32-48-15, Town of Superior, from Mark J. Radzak and Susan E. LaVine. Intended Use: Recreation.

BE IT FURTHER RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute a quit claim deed to the above named persons on the above named properties.

Dated this 16<sup>th</sup> day of May, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$16,001.56)

ACTION: Motion by Allen, second Cosgrove, to adopt. Motion carried.

**RESOLUTION #48-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Authorizing the Borrowing of ~~\$36,225,000~~ \$35,920,000; Providing for Issuance and Sale of General Obligation Refunding Bonds Therefor; and Levying a Tax in Connection Therewith

WHEREAS, the County Board of Supervisors of Douglas County, Wisconsin (the "County") hereby finds and determines that it is necessary, desirable and in the best interest of the County to raise funds for the purpose of paying the cost of refunding certain outstanding obligations of the County, to wit: \$6,130,000 General Obligation Promissory Notes, dated December 15, 1998 (the "1998 Notes"), \$7,370,000 General Obligation Promissory Notes, dated February 1, 1999 (the "1999 Notes"), \$7,000,000 Bond Anticipation Notes, dated December 4, 2001 (the "2001 Notes") and \$17,000,000 Bond Anticipation Notes, dated February 1, 2002 (the "2002 Notes") (collectively, the 1998 Notes, the 1999 Notes, the 2001 Notes and 2002 Notes shall be referred to herein as the "Prior Issues") (hereinafter the refinancing of the County's Prior Issues shall be referred to as the "Refunding"), and there are insufficient funds on hand to pay said costs;

WHEREAS, none of the proceeds of the general obligation refunding bonds shall be used to fund the operating expenses of the general fund of the County or to fund the operating expenses of any special revenue fund of the County that is supported by the property taxes;

WHEREAS, the County Board of Supervisors deems it to be necessary, desirable and in the best interest of the County to refund the 1998 Notes and the 1999 Notes for the purpose of restructuring the outstanding debt of the County and the 2001 Notes and the 2002 Notes for the purpose of providing permanent financing for the projects financed by the 2001 Notes and the 2002 Notes;

WHEREAS, counties are authorized by the provisions of Chapter 67 of the Wisconsin Statutes to borrow money and to issue general obligation refunding bonds; and

WHEREAS, the County Board of Supervisors now deems it to be necessary, desirable and in the best interest of the County to authorize the issuance of and to award the sale of its general obligation refunding bonds to U.S. Bancorp Piper Jaffray Inc., Milwaukee, Wisconsin.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Supervisors of the County that:

Section 1. Authorization of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed pursuant to Chapter 67 of the Wisconsin Statutes, the principal sum of ~~THIRTY-SIX MILLION TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$36,225,000<sup>†</sup>)~~ THIRTY-FIVE MILLION NINE HUNDRED TWENTY THOUSAND DOLLARS \$35,920,000 from U.S. Bancorp Piper Jaffray Inc., Milwaukee, Wisconsin (the "Purchaser") in accordance with the terms and conditions of its purchase proposal (the "Proposal") as set forth in Exhibit B-5-02 and incorporated herein by this reference.

Section 1A. Sale of the Bonds. To evidence such indebtedness, the Chairperson and County Clerk are hereby authorized, empowered and directed to make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, General Obligation Refunding Bonds aggregating the principal amount of ~~THIRTY-SIX MILLION TWO HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$36,225,000<sup>\*</sup>)~~ THIRTY-FIVE MILLION NINE HUNDRED TWENTY THOUSAND DOLLARS \$35,920,000 (the "Bonds") for the sum set forth on the Proposal, plus accrued interest to the date of delivery.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds"; shall be dated June 4, 2002; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered 1 and upward; shall bear interest at the rates and shall mature on February 1 of each year, in the years and principal amounts as set forth on the schedule prepared by the Purchaser and as set forth in Exhibit C-5-02 (the "Schedule"). Interest is payable semi-annually on February 1 and August 1 of each year commencing on February 1, 2003.

Section 2A. Designation of Maturities. The Bonds of this issue which mature first are designated as being issued to refund the 1998 Notes in the order in which the debt evidenced by said obligations were incurred, then the 1999 Notes and the remaining balance of the Bonds is designated to pay the costs of refunding the 2001 Notes and the 2002 Notes.

Section 3. Optional and Mandatory Redemption Provisions. At the option of the County, the Bonds maturing on February 1, 2013 and thereafter shall be subject to redemption prior to maturity on February 1, 2012 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the County and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption. If the Proposal specifies that any of the Bonds are subject to mandatory redemption, the terms of such mandatory redemption shall be set forth on an attachment hereto as Exhibit MRP (the "Mandatory Redemption Provisions") and incorporated herein by this reference.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form as set forth in Exhibit D-5-02 and incorporated herein by this reference.

Section 5. Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the County a direct annual irrepealable tax in the years 2002 through 2021 for the payments due in the years 2003 through 2022 in the amounts set forth on the Schedule.

The direct annual irrepealable tax hereby levied shall be carried onto the tax roll and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the County for said years are collected. So long as any part of the principal of or interest on the Bonds remains unpaid, the tax hereinabove levied shall be and continues irrepealable except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus in the Debt Service Fund Account for the Bonds created below.

Section 6. Segregated Debt Service Fund Account. There is hereby established in the County treasury a fund account separate and distinct from all other funds or accounts of the County designated "Debt Service Fund Account for ~~\$36,225,000~~ \$35,920,000 Douglas County General Obligation Refunding Bonds dated June 4, 2002", which fund account shall be used solely for the purpose of paying the principal of and interest on the Bonds. There shall be deposited in said fund account all accrued interest paid on the Bonds at the time the Bonds are delivered to the Purchaser, any premium, all money raised by taxation pursuant to Section 5 hereof, and all other sums as may be necessary to pay principal of and interest on the Bonds as the same become due. Said fund account shall be used for the sole purpose of paying the principal of and interest on the Bonds, shall be maintained for such purpose until such indebtedness is fully paid or otherwise extinguished, and shall at all times be invested in a manner that conforms with the provisions of the Internal Revenue Code of 1986, as amended (the "Code"), and any applicable income tax regulations (the "Regulations").

Section 7. Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into an account separate and distinct from all other funds and disbursed solely for the purposes for which borrowed or for the payment for the principal of and the interest on the Bonds.

Section 8. Arbitrage Covenant. The County shall not take any action with respect to the Bond Proceeds which, if said action had been reasonably expected to have been taken, or had been deliberately and intentionally taken on the date of delivery of and payment for the Bonds (the "Closing") would have caused the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and the Regulations.

The Bond Proceeds may be temporarily invested in legal investments until needed, provided however, that the County hereby covenants and agrees that so long as the Bonds remain outstanding, moneys on deposit in any fund or account created or maintained in connection with the Bonds, whether such moneys were derived from Bond Proceeds or from any other source, will not be used or invested in a manner which would cause the Bonds to be "arbitrage bonds" within the meaning of the Code or Regulations. The County covenants that it will not invest in any obligation if such investment would violate the "prohibited payment" requirement of Section 148 of the Code.

The County Clerk, or other officer of the County charged with responsibility for issuing the Bonds, shall provide an appropriate certificate of the County, for inclusion in the transcript of proceedings, setting forth the reasonable expectations of the County regarding the amount and use of the Bond Proceeds and the facts and estimates on which such expectations are based, all as of the Closing.

Section 9. Additional Tax Covenants Including Rebate: Six Month Expenditure Exemption from Rebate. The County hereby further covenants and agrees that it will take all necessary steps and perform all obligations required by the Code and Regulations (whether prior to or subsequent to the issuance of the Bonds) to assure that the Bonds are obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes, throughout their term. The County further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The County Clerk or other officer of the County charged with the responsibility of issuing the Bonds, shall provide an appropriate certificate of the County as of the Closing, for inclusion in the transcript of proceedings, certifying that it can and covenanting that it will comply with the provisions of the Code and Regulations.

Further, it is the intent of the County to take all reasonable and lawful actions to comply with any new tax laws enacted so that the Bonds will continue to be obligations described in Section 103(a) of the Code, the interest on which is excluded from gross income for federal income tax purposes throughout their term.

The County covenants that it is a governmental unit with general taxing powers and that the Bonds are not "private activity bonds" as defined in Section 141 of the Code.

For purposes of complying with the Regulations, particularly the rebate requirements of the Regulations, the portion of the proceeds of the Bonds that will be used for refunding the 1998 Notes and the 1999 Notes and the portion of the proceeds of the Bonds that will be used for refunding the 2001 Notes and the 2002 Notes shall be considered proceeds of separate issues, respectively referred to herein as the "Advance Refunding Portion" and the "Current Refunding Portion."

In accordance with Section 148(f)(4)(B) of the Code, the County covenants that ninety-five percent (95%) or more of the net proceeds of the Current Refunding Portion of the Bonds are to be used for local governmental activities of the County and that 100% of the proceeds of the Current Refunding Portion of the Bonds will be expended for the governmental purposes of the issue within six months of the Closing. If for any reason the County did not qualify for the six month exemption from the rebate requirements of the Code for the Current Refunding Portion of the Bonds, the County covenants that it would take all necessary steps to comply with such requirements.

The County does not anticipate that it will qualify for any exemption from the rebate requirements of the Code for the Advance Refunding Portion of the Bonds. Accordingly, the County hereby covenants and agrees that there shall be paid from time to time all amounts to be rebated to the United States pursuant to Section 148(f) of the Code and any applicable Regulations. This covenant and agreement shall survive payment in full or defeasance of the Bonds. In order to fulfill such covenant and agreement, the County is hereby authorized to employ independent accountants, consultants or attorneys to assist in determining the rebate amounts.

Section 9A. Rebate Fund. If necessary, the County shall establish and maintain, so long as the Bonds are outstanding, a separate account to be known as the "Rebate Fund". The County hereby covenants and agrees that it shall pay from the Rebate Fund the rebate amounts calculated pursuant to the provisions of the Code and Regulations to the United States of America.

Amounts held in the Rebate Fund and the investment income therefrom are not pledged as security for the Bonds and may only be used to pay amounts to the United States.

The County shall maintain or cause to be maintained records of such calculations and shall make such records available upon reasonable request therefor.

The County hereby agrees it will disburse all moneys in the Rebate Fund to the United States of America at the times and in the manner set forth in any applicable Regulations proposed or promulgated thereunder.

Section 10. Execution of the Bonds. The Bonds shall be prepared in typewritten or printed form, executed on behalf of the County by the manual or facsimile signatures of the Chairperson and County Clerk, authenticated, if required, by its fiscal agent, if any, sealed with its official or corporate seal, if any, or a facsimile thereof and delivered to the Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the date of delivery. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the delivery of the Bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until such delivery. The aforesaid officers are hereby authorized to do all acts and execute all documents as may be necessary and convenient for effectuating the Closing.



Section 11. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid ~~in lawful money of the United States of America by the County Clerk or County Treasurer.~~ by U.S. Bank, N.A., St. Paul Minnesota, which is hereby appointed as the County's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The Fiscal Agency Agreement between the County and the Fiscal Agent shall be substantially in the form as set forth in Exhibit D-5-02(2) and incorporated herein by this reference.

~~Section 11A. Persons Treated as Owners; Transfer of Bonds.~~ The County shall keep books for the registration and for the transfer of the Bonds. ~~The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.~~

~~Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the County Clerk, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the County Clerk shall record the name of each transferee in the registration book. No registration shall be made to bearer. The County Clerk shall cancel any Bond surrendered for transfer.~~

~~The County shall cooperate in any such transfer, and the Chairperson and County Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.~~

~~The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds. Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the County at the close of business on the corresponding record date.~~

Section 12. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the County agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the County and on file in the County Clerk's office.

Section 13. Undertaking to Provide Continuing Disclosure. The County hereby covenants and agrees, for the benefit of the holders of the Bonds, to enter into a written undertaking (the "Undertaking") required by SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. This Undertaking shall be enforceable by the holders of the Bonds or by the Purchaser on behalf

of such holders (provided that the rights of the holders and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations hereunder and any failure by the County to comply with the provision of this Undertaking shall not be an event of default with respect to the Bonds).

The County Clerk, or other officer of the County charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

Section 14. Escrow Agent; Escrow Agreement; Escrow Account. U.S. Bank Trust, St. Paul, Minnesota, is hereby appointed escrow agent for the County, for the purpose of ensuring the payment of the principal of and interest on the callable portion of the 1998 Notes and 1999 Notes (the "Escrow Agent").

The Chairperson and County Clerk are hereby authorized and directed to execute an escrow agreement substantially in the form as set forth in Exhibit E-5-02 (the "Escrow Agreement") (such form may be modified by said officers prior to execution, the execution of such agreement by said officers to constitute full approval of the County Board of Supervisors of any such modifications), with the Escrow Agent, for the purpose of effectuating the provisions of this Resolution.

The Bond Proceeds allocable to refunding the callable portion of the 1998 Notes and 1999 Notes, other than any premium and accrued interest which shall be deposited in the Debt Service Fund Account created above, shall be deposited in a refunding escrow account which is hereby created with the Escrow Agent, pursuant to the Escrow Agreement, for the purpose of retaining the required amount of cash, if any, and acquiring the United States obligations provided for in the Escrow Agreement.

Upon transfer of the Bond Proceeds and any other necessary funds allocable to refunding the callable portion of the 1998 Notes and the 1999 Notes to the Escrow Account, the taxes heretofore levied to pay debt service on the callable portion of the 1998 Notes and the 1999 Notes shall be abated to the extent such transfer together with investment earnings thereon is sufficient to pay the principal of and interest on the callable portion of the 1998 Notes and the 1999 Notes, but such abatement shall not affect the County's pledge of its full faith, credit and resources to make such payments. The refunding escrow account created by the Escrow Agreement shall hereinafter serve as the debt service (or sinking) fund account for the callable portion of the 1998 Notes and the 1999 Notes. The Escrow Agent shall serve as custodian of said debt service (or sinking) funds.

Section 15. Bond Insurance. The Chairperson and County Clerk are authorized to agree to such additional provisions as any municipal bond insurer which makes a commitment accepted by the County to insure the Bonds may reasonably request and which are acceptable to the Chairperson and County Clerk, including provisions regarding restrictions on investment of Bond Proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment

of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, appropriate reference to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 16. Redemption of the 1998 Notes. The County Board of Supervisors hereby calls the 1998 Notes due on and after February 1, 2007 for redemption on February 1, 2006. The County hereby directs the Escrow Agent appointed above to cause a notice of redemption, in substantially the form attached to the Escrow Agreement, to be provided at the times and in the manner provided thereon.

Section 17. Redemption of the 1999 Notes. The County Board of Supervisors hereby calls the 1999 Notes due on and after February 1, 2007 for redemption on February 1, 2006. The County hereby directs the Escrow Agent appointed above to cause a notice of redemption, in substantially the form attached to the Escrow Agreement, to be provided at the times and in the manner provided thereon.

Section 18. Redemption of the 2001 Notes. The County Board of Supervisors hereby calls the 2001 Notes due on December 1, 2002 for redemption on September 1, 2002. The County hereby directs the Purchaser to cause a notice of redemption, in substantially the form as set forth in Exhibit F-5-02 to be provided at the times, to the parties and in the manner provided thereon.

Section 19. Redemption of the 2002 Notes. The County Board of Supervisors hereby calls the 2002 Notes due on December 1, 2002 for redemption September 1, 2002. The County hereby directs the Purchaser to cause a notice of redemption, in substantially the form as set forth in Exhibit G-5-02 to be provided at the times, to the parties and in the manner provided thereon.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the County Board of Supervisors or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Dated this 16<sup>th</sup> day of May 2002.

(Committee Action: Unanimous)

(Fiscal Note: None; refinancing terms of payment for existing county debt)

(Administrative Note: ~~\$36,225,000.00~~ \$35,920,000.00 ~~subject to change~~)

ACTION: Motion by Coletta, second Glenn, to adopt. Finn explained that an amended resolution is on the Supervisors' desks. Motion by Glenn, second Cosgrove, to amend resolution according to revised resolution as submitted, including amending total amount to \$35,920,000. Willie asked if this refinancing is due to cost overrun by the Construction Manager and former Administrative Coordinator. Chair Finn responded that this is not the case. Finance Director Kroll explained the rationale for this action. Motion to amend resolution carried. James Miller, Managing Director for U.S. Bancorp Piper Jaffrey, serving as

the County's financial advisor, addressed the Board, summarizing the recommendation of this refunding bond issue, as the County puts into place the permanent long-term financing for the Metro Center project. As part of this process, four pieces of debt will be refinanced – 1998, 1999, 2001 and 2002 bond issues. Some objectives for this refinancing are to cap total bonding for Metro Center project at \$34.5 million, to void setting debt levy limit of \$1.15, and allow room for capital improvements if needed in the future. No additional borrowing is foreseen until about 2005, and tax rate drops down after that. This spreads the cost of project over 20 years, at a time when interest rates are still low. In terms of how the debt lays out, the County's tax levy for debt service (to pay off existing debt) was at \$1.10 per thousand last year. Miller explained that with this permanent refinancing over a 20 year period, it is expected with growth and future value, that tax rate will never exceed \$1.10, and will actually drop to \$.92 in 2006. In terms of interest rates (cost to the County) and timing, the average rate over life of the 20 year bond is 5.17%. Pleski questioned schedule C-5-02, when the coupon rate drops in the last three years. Miller explained the last three maturities were structured as term bonds in order to get a better interest rate. Discussion followed on bond issue rates in regard to 10 and 20 year issues. Finance Director Kroll explained that this was structured so there is very little impact on the levy and especially the rate, which is projected to be less over time than the 2002 levy. The long term had to be done so the levy would not go up. Conley asked for more clarification on paying essentially the same amount but over a longer period of time, noting with the 10 year bonding some of the debt would have been retired. Miller indicated the original borrowing was at \$13.5 million in 1998-99, but the amount has grown to \$36 million, and in order to obtain one objective of not raising the tax rate for debt service, the borrowing is spread over the 20 years. Anticipation notes come due December 1, 2002, and are interim financing notes callable on September 1<sup>st</sup>. This refinancing is no new money, it is only restructuring existing debt. Douglas County is a little under 40% of its bonding capacity. Brief discussion followed on the long term cost to the County over the short term. The County is paying back \$36.0 million over a 20 year period, with principal and interest estimated to be roughly \$61.0 million. Extensive discussion followed on the debt service levy increasing substantially next year and subsequent years to 2008, if the debt is not extended, because interest rates are moving up already. Miller explained the debt service levy could go up \$ .64 per thousand by 2008 if the restructuring is not done. It is common practice to finance a project close to its long-term life. Conley indicated he is trying to find logic for extending the County's debt, and asked if more leeway is needed for operational costs, lowering the levy limit by reducing debt service to allow for more of a margin between Douglas County's levy and what the state will allow. Kroll responded that keeping the levy down for debt service does not affect operational levy limits. Motion to adopt resolution, as amended, carried.

**RESOLUTION #49-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Transfer to City of Superior for Industrial Park

WHEREAS, the City of Superior would like to develop an industrial park, to be known as Winter Street Industrial Park, on property shown on Exhibit H-5-02, and

WHEREAS, the City of Superior has proceeded with development of a project area plan for the Winter Street Industrial Park, and

WHEREAS, Douglas County owns property within the proposed industrial park, which the City of Superior needs to acquire to proceed with development plans.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and transfer ownership of the following described property to the City of Superior:

Parcel #04-804-1023-00 - All that portion of Section 16, Township 49, Range 14, bounded as follows: On the East by the North and South Quarter line of said Section 16, on the North by a line parallel with and distant 75 feet North of the East and West Quarter line of said Section 16, on the west by the Easterly boundary line of the property of the N. St. P. & S. S. M. Railway Co. As described in deed from the USCIP & Foundry Co. As recorded in Volume 115 of Deeds Page 70 and bounded on the South by a line parallel with and 33 feet distant North of the East and West Quarter line of said Section 16, being a strip 42 feet in width subject to the condition described in a certain deed from the USCIP & Foundry Co. on April 25, 1913. (Less than five acres.)

BE IT FURTHER RESOLVED that transfer of this property is contingent upon the City of Superior agreeing that any future net sale proceeds, after infrastructure costs, be deposited with the Douglas County Revolving Loan Fund.

Dated this 16<sup>th</sup> day of May, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Undetermined)

ACTION: Motion by Allen, second Glenn, to adopt. Browne recommended a reversionary clause be added. Several supervisors objected, stating this might impede the re-platting that the city intends to do. Corporation Counsel indicated that as long as the city has ownership, even with reversionary clause, the city can do what they want with it, including re-platting. Motion by Browne, second W. Johnson, to amend the resolution and add five-year county ownership reversionary clause. Motion to amend resolution failed. Zukowski added he does not support this resolution because it does not require the city pay for the land. Motion to adopt resolution carried.

**RESOLUTION #50-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Sale of Property to City of Superior

RESOLVED that the Douglas County Board of Supervisors accept the recommendations from the Land and Development Committee and sell the following described property to the City of Superior, upon payment of \$91,950.00:

Blocks 75, 76, 78, 80, 82, 84, 86, 87, 88, 89, 90, 91, and 92, East St. Clair Street, Blocks 75, 76, 77, 87, 88, 89, and Fractional Lot 90, East Huron Street, Blocks 75, 76, 77, 78, and Fractional Block 88, East Michigan Street, Blocks 75, 76, and 78, East Bay Street, Blocks 75, 76, Fractional Block 81, and Lots 641 through 655, odd numbers, Block 77, Lots 642 through 656, even numbers, Block 78, Lots 657 through 671, odd numbers, Block 79, East St. Croix Street, Block 76, East Itasca Street, Lots 642 Through 656, even numbers, Block 78, East Itasca Street, Lots 658 through 672, even numbers, Block 80, East Itasca Street,

That part of the North Half of NW 1/4 of NE 1/4, Section 4, Township 48, Range 13, lying NE'ly of NP R/W, except all that part of NW 1/4 of NE 1/4, Section 4, Township 48 North, Range 13 West, Douglas County, Wisconsin, bounded and described as follows: Beginning at the point of intersection of the Northeasterly line of St. Croix Street in the Townsite of Superior with the North Line of said Section 4, thence Southeasterly along the extension of said Northeasterly line of St. Croix Street to its intersection with the southwesterly extension of the Southwesterly extension of the line between Blocks 86 and 88, East Michigan Street, thence Northeasterly along said line to the north line of Section 4, thence west along the north line at Section 4 to the point of beginning; and

A triangular piece of land in NE 1/4 of NW 1/4, Section 4, Township 48, Range 13, bounded as follows: Commencing at N 1/4 corner of Section 4, thence West along North line of said Section about 248 feet to a point where the North Line intersects NE'ly line of N P R/W, thence SE'ly along said NE'ly line of N P R/W line about 405 feet to a point where said R/W line intersects with the North and South quarter line of Section 4, thence North along the North and South quarter line of said Section 4, about 319 feet to point of beginning, all in the Townsite of Superior, City of Superior.

( Exhibit I-5-02 - Land Area: 288 lots and 18.5 acres)

Dated this 16<sup>th</sup> day of May, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales" account by \$91,950.00)

**ACTION:** Motion by Allen, second Glenn, to adopt. McKenzie asked the intent for the property. Allen responded the city is working with a developer to build about 100 to 150 homes. Motion carried.

**RESOLUTION #51-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Administration Committee Structure

RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and continue the existing structure of the Administration Committee, maintaining an eleven member composition, with appointment of a Chair and Vice Chair.

BE IT FURTHER RESOLVED that the Douglas County Board of Supervisors Manual of Policies and Procedures, Section I, Committee Structure, be amended as follows:

**B. Standing Committees and Duties**

The Standing Committees and their duties shall be as follows:

EXECUTIVE (Chairpersons of all Standing Committees and Chairpersons of Human Services Board and ~~Health Commission~~ Board of Health, if County Supervisors): This shall be the committee on committees and perform such duties as directed by the Chairperson and the Board. It shall meet on the call of the Chairperson of the Board and be Chaired by the County Board Chairperson.

ADMINISTRATION (~~Merger of Finance and Personnel Committees established on a trial basis through 2002 County Board Reorganization meeting, unless authorized to continue on a permanent basis~~ 11 members): This committee shall have referred to it any matters relating to finance, insurance, bonds, equalization, claims, computer operations, and any matters relating to personnel of Douglas County, including, but not limited to, matters relating to wages, code of ethics, promotions, demotions, grievances, new positions, reclassifications, negotiations, employee benefits (including health insurance carrier), monitors safety program for county employees and any other related items. It shall be the committee of jurisdiction for the Administration, County Clerk, Register of Deeds, Treasurer, Data Processing, and Finance Departments and Corporation Counsel (in regard to administrative and budgetary oversight). It shall be responsible for presenting budgets to entire board at budget session.

BUILDINGS AND GROUNDS (7 Members): This committee shall have referred to it all matters relating to building construction, maintenance, repairs, operations and rentals of county buildings and grounds (including fairgrounds), other than Highway and Forestry. Shall be designated as Special Building Committee on all construction and remodeling projects authorized by the County Board. Shall be responsible for long range development plans for buildings and office space needed by the County.

JUDICIARY, LEGISLATIVE AND VETERANS (5 Members): This committee shall have referred to it all matters of state and federal legislation relating to county government, the courts or litigation. It shall be the committee of jurisdiction for the ~~Corporation Counsel~~, District Attorney, Family Court Commissioner, Child Support Department, Clerk of Court, and Veterans Department; acts as liaison between the Board and the courts; meets with the Corporation Counsel and lobbies for consideration of state and federal legislation and takes positions for county government on pending legislation affecting county; represents County Board at legislative hearings when necessary. Establish procedure for codification of County Board ordinances and resolutions.

LAW ENFORCEMENT (7 Members): This committee shall have referred to it all matters relating to law enforcement, emergency planning and the jail in Douglas County. It shall be the committee of jurisdiction for the Sheriff's Department, Emergency Management Director and Medical Examiner.

ZONING (5 Members): This committee hears and makes recommendations or requests for zoning ordinance amendments in towns; acts as liaison between Board and Regional Planning Commission and advises on all matters relating to land use planning and development; reviews plats and cemetery maps; serves as committee of jurisdiction for the Zoning Office. This is the committee of jurisdiction for the County Surveyor.

ENVIRONMENT, AGRICULTURE AND EXTENSION (5 Members): This committee shall have referred to it any matters relating to environment and agriculture and any matters relating to educating, as it pertains to the mission of the University of Wisconsin Cooperative Extension. The committee has responsibility for support and monitoring of Extension programs.

HIGHWAY (5 Elected Members): This committee shall have referred to it any matters relating to county highways authorized by statutes; handles all parking and transportation matters; lets contracts for vehicle and machinery purchases or rental for highway department; and is the committee of jurisdiction for the Highway Department.

LAND AND DEVELOPMENT (7 Members): This committee shall have referred to it any matters relating to the purchase, sale, or leasing of county property (not including county forest land ~~or fairgrounds~~), taxes, tax titles, economic development matters and any other related items. ~~This is the committee of jurisdiction for the County Surveyor.~~

FOREST, PARKS AND RECREATION ( 7 Members): This committee shall have referred to it any matters related to county forest land, recreation, and any other related items. This is the committee of jurisdiction for the Forestry Department.

Dated this 16<sup>th</sup> day of May, 2002.  
(Committee Action: Unanimous)



(Fiscal Note: None)

ACTION: Motion by Coletta, second Hooper, to adopt. Motion carried.

**RESOLUTION #52-02**  
**RESOLUTION BY SUPERVISORS McKENZIE, WATERMAN, WILLIE AND JENSEN**

Subject: Administration Committee Procedures

WHEREAS, the Administration Committee has the responsibility for much of the business of Douglas County in the merging of the Finance and Personnel Committees, and

WHEREAS, the business of the County has been conducted during a time when many working people cannot attend, and

WHEREAS, the entire agenda attachments have not been available to County Supervisors or to the public unless specifically requested, and

WHEREAS, the business of this committee is in the interest of all of the people of Douglas County,

NOW, THEREFORE BE IT RESOLVED that the Douglas County Supervisors shall, from date of passage of this resolution, be afforded the responsibility to elect the Administration Committee by paper ballot, with ties to be determined by random draw of cards; that the meetings take place in the evening; that agendas, including attachments, be distributed, or e-mailed upon request, to all County Board members, and that agenda attachments be included on the Douglas County website prior to the meeting; and, that two of this Committee's meetings each year take place at county sites outside the City of Superior, in village or town halls.

Dated this 16<sup>th</sup> day of May, 2002.

ACTION: Motion by McKenzie, second Willie, to adopt resolution. Coletta stated he was not in total opposition to evening meetings with a couple in the rural locales, but cautioned there would be added costs, such as recording secretaries overtime and staff travel. He suggested electing committee chairs and vice chairs would become a popularity contest. Several supervisors concurred that the Board elects the Chair, giving him a vote of confidence that appointments have been and continue to be fair, and are based on supervisor expertise and interest. Hooper noted that Resolution #52-02 could not be approved tonight because there has been no fiscal responsibility attached to it. Ryan indicated she cannot support these resolutions based on fiscal impact alone. Conley noted his concern that more than ever, a greater amount of County business is being conducted by Administration Committee. He suggested the Executive Committee should be doing more in this respect. Pleski noted he is not against change, and would favor having someone looking at the issues to see if it would make sense. He suggested the evening meeting issue

may be something for individual committees to decide. Liebaert stated he sees no problem with electing who serves on the Administration Committee, as it would be those who this Board as a whole elects to that important committee. McKenzie explained her rationale for the resolution, indicating she spoke with County Clerk Sandvick regarding the costs. She expressed her concern about the multitudinous attachments and handouts that only members of the Administration Committee receive, which she believed all Board members should receive. Waterman indicated that he viewed this resolution as an attempt to open the system up. He added it is not an attack on any members of the Administration Committee, but would like to have the meetings at times when other working Board members can attend.

The Chair recognized the public in attendance who wished to address the Board. Kevin Peterson spoke in support of the resolution, stating that he felt evening and rural meetings might attract more people to get involved in county government. Zukowski questioned authors of Resolution #52-02 about what happens if people who might be elected by the Board to serve on committees where there is a conflict of interest, such as a realtor elected to the land committee. Jensen suggested the Board is smart enough not to do something like that. Pleski suggested discussion of the resolutions, which have merit, continue on in another forum. Regarding the concern that items before the Administration Committee are more important in terms of County business, Hooper noted that those agenda items are generated by referrals from other committees and department heads, and suggested other committees may need to look at what business they are conducting and how to do more themselves. Allen opposed the resolution, noting that in fourteen years no one has ever voted against an appointment that the Chair has recommended. Chairman Finn summarized his years on the Board and the battle on where to hold the Board meetings. The City-County Complex was decided upon, but the time was changed from 1:30 p.m. to 6:00 p.m. He added he is not opposed to looking at electing committee chairs and he's open to whatever the Board decides. He noted he would personally recommend that Administration Committee members consider evening meetings, with an occasional rural meeting, but that he strongly opposes electing those members. Sandvick noted she did talk with McKenzie on these resolutions, and explained the costs and time factor for staff and recording equipment. She summarized the long days, transporting equipment, etc., but she will accommodate wishes of the Board. Noting the hundreds of pages of attachments to Administration Committee agendas, Sandvick indicated she will work with whomever on making all attachments available to all County Board members. K. Johnson recommended waiting until next election term on these resolutions.

Further discussion ensued. Jensen stated that this resolution is about changing one committee - Administration Committee - where a few changes might be good. Roll call vote taken on the resolution and failed with 19 Noes, 7 Ayes, and 2 absent. Voting aye were Liebaert, Jensen, Browne, Conley, Waterman, McKenzie, Willie. Absent were Martin and Ward.

**RESOLUTION #53-02**  
**RESOLUTION BY SUPERVISORS MCKENZIE, WATERMAN, WILLIE AND JENSEN**

Subject: Committee Chairpersons Selection Procedure

WHEREAS, the members of the Douglas County Executive Committee exercise extraordinary power to set and guide the County's decision-making process, and

WHEREAS, membership on the Executive Committee is represented by the Chairpersons of each of the following committees:

- ! Administration (formerly Personnel and Finance)
- ! Buildings and Grounds
- ! Environment, Agriculture and Extension
- ! Forest, Parks and Recreation
- ! Judiciary, Legislative and Veterans
- ! Land and Development
- ! Law Enforcement
- ! Zoning
- ! Human Services Board (if County Board Supervisor)
- ! Board of Health (if County Board Supervisor)

and,

WHEREAS, it has been the policy of the Douglas County Board to confer that particular power/responsibility of appointing committee chairpersons to the elected County Board Chair, and

WHEREAS, the goal of this resolution is to achieve greater democracy in Douglas County business.

NOW, THEREFORE, BE IT RESOLVED that members of the committees cited above, or any future standing committees whose chair or other member is afforded membership on the Executive Committee, shall, from date of passage of this resolution, be afforded the responsibility to elect, from their rank members, the Chair and Vice Chair of their own committees; with such voting to be by written ballot, and ties to be resolved by a random draw of cards.

BE IT FURTHER RESOLVED that the Chair of the Executive Committee shall continue to be the Douglas County Board Chair.

Dated this 16<sup>th</sup> day of May, 2002.

ACTION: Motion by McKenzie, second Willie, to adopt. William Anderson, 1312 Hughitt Ave., Superior, addressed the board explaining what he believes this resolution is about – a group of citizens have been meeting to see how they could effect a change in the way the County Board does business. Summarizing his experience as a County Board Supervisor a few years ago, Anderson suggested that the more important decisions made by the Administration Committee be done by a broader, diversified group. Chairman Finn explained how he uses the Executive Committee meetings now as opposed to a few years

ago, noting meeting frequency has decreased. Brief discussion followed on a suggestion for Committee of the Whole structure which was brought forward four years ago and not accepted. Motion by Browne, second Quam, to refer this resolution to a committee composed of Chair, Vice Chair, and a couple others to study this resolution and report back to the Board on their findings and recommendations. Brief discussion. Motion to refer failed. Discussion continued on abolishing the Executive Committee and establishing Committee of the Whole structure, but Felker noted a concern that is related to the open meeting law, and cautioned that there is not adequate notice to take action on that kind of motion tonight, because it essentially abolishes the Executive Committee which changes the intent of the resolution. Roll call vote taken on the resolution and failed with 20 Noes, 6 Ayes, 2 Absent. Voting aye were Liebaert, Jensen, Browne, Waterman, McKenzie, Willie. Absent were Ward and Martin.

**RESOLUTION #54-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Establishing Salaries for Next Term of Office for County Elected Officials

WHEREAS, according to Section 59.16 and 66.197 of the Wisconsin Statutes, the County Board establishes salary levels for elected officials prior to the first day to circulate nomination papers (June 1, 2002).

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and hereby establishes compensation for elected officials in the years 2003 and 2004 (and 2005 and 2006 for the Sheriff) as follows:

<b>Position</b>	<b>Existing Salary</b>	<b>Recommended Salary</b>	<b>Dollar Change</b>
Sheriff	\$58,344	\$58,344	-0-
County Clerk	\$40,210	\$40,210	-0-
Clerk of Courts	\$40,210	\$40,210	-0-
Register of Deeds	\$40,210	\$40,210	-0-
Treasurer	\$40,210	\$40,210	-0-

BE IT FURTHER RESOLVED that the actual salary paid in year 2003 and 2004 (and 2005 and 2006 for the Sheriff) shall be adjusted to reflect any percentage increase applied across the board to the Non-Represented Pay Plan, as may be approved by the County Board.

Dated this 16<sup>th</sup> day of May, 2002.  
 (Committee Action: Unanimous)  
 (Fiscal Note: None)

ACTION: Motion by Coletta, second McKenzie, to adopt. Motion carried.

**RESOLUTION #55-02**  
**RESOLUTION BY THE JUDICIARY, LEGISLATIVE AND VETERANS COMMITTEE**  
**AND ADMINISTRATION COMMITTEE**

Subject: Clerk of Courts Agreement for Collection of Unpaid Fines and Forfeitures

WHEREAS, Douglas County currently has unpaid fines and forfeitures totaling \$2.9 million of which approximately 28% is either current or collection deferred, with the remaining 72% in need of professional collection expertise, and

WHEREAS, Professional Placement Services, LLC, has provided Douglas County with references who proclaim the provider's services to be the most cost effective, yet aggressive and successful collection agency currently servicing Wisconsin counties, and

WHEREAS, the City of Milwaukee Municipal Court, Sheboygan, Outagamies, Winnebago, Waukesha, Chippewa, Buffalo, Pepin, and Waupaca Counties in Wisconsin, have selected this collection agency to assist in their tax refund interception and collection efforts, and

WHEREAS, the proceeds from placing approximately \$2.0 million with Professional Placement Services, LLC, and assuming a conservative recovery rate of 20% would likely produce the following results:

Estimated amount placed with agency . . . . .	\$2,000,000.00
Estimated recovery rate in one year (20%) . . . . .	x.20
	\$400,000.00
Estimated amount collected by agency . . . . .	\$400,000.00
Agency's commission rate for collecting debt (27% if initial place of fines & forfeitures exceed \$1,000,000) . . . . .	x.27
	\$108,000.00
Commission taken by agency . . . . .	\$108,000.00
County's <u>Remaining</u> share of dollars collected . . . . .	\$292,000.00
To be distributed as follows (estimates):	
25% Douglas County	\$ 73,000.00
13% City of Superior	37,960.00
62% State of Wisconsin	181,040.00
	\$292,000.00

and,

WHEREAS, with the suspension of drivers licenses being relatively ineffectual in many cases, the growth of unpaid fines escalating, the Clerk of Courts staff time limited for collection purposes and staff

not professionally trained to perform the collection function, the most reasonable alternative is contracting with a professional collection agency.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Judiciary, Legislative and Veterans Committee and the Administration Committee, and authorize the Clerk of Courts to contract with Professional Placement Services, LLC, for the collection of unpaid fines and forfeitures. (Exhibit J-5-02)

Dated this 16<sup>th</sup> of May, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Potential revenue \$73,000)

ACTION: Motion by McKenzie, second Glenn, to adopt. Motion by Coletta, second Glenn, to amend resolution in last paragraph on page one, instead of “County’s” share of dollars it should be “Remaining” share of dollars. Motion to amend carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION 56-02**  
**RESOLUTION BY THE BUILDINGS AND GROUNDS COMMITTEE**

Subject: Metro Center Atrium Wall Scope Change

RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Buildings and Grounds Committee, and approve a minor design change in atrium east and west walls as follows, with costs and credits to be applied within construction contingency:

Modify atrium construction to allow for improved visual access to the Law Enforcement Center. Revisions include modifications to wall construction, deletion of two permanent display cases, and addition of two sections of glass guardrail. (Drawings are on file in County Clerk’s office.)

Dated this 16<sup>th</sup> day of May, 2002.

(Committee Action: Unanimous)

(Fiscal Note: ~~Estimated cost not to exceed additional \$5,000~~ No Impact.)

ACTION: Motion by Zukowski, second Cosgrove, to adopt. Zukowski explained this atrium wall change is a scope change which requires full County Board approval. John Geissler, DC Architects, displayed drawings of the atrium areas, and detailed the modifications. These changes are zero cost to the County. Motion by Hooper, second McKenzie, to amend resolution removing \$5,000 from Fiscal Note, and inserting “No Impact.” Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #57-02**  
**RESOLUTION BY THE FOREST, PARKS AND RECREATION COMMITTEE**

Subject: Easement to Head of the Lakes Electric Cooperative

RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve granting of utility easement to Head of the Lakes Electric Cooperative for electric transmission line. (Exhibit K-5-02)

Dated this 16<sup>th</sup> day of May, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Revenue \$100)

ACTION: Motion by Cosgrove, second John O'Brien, to adopt. Motion by Hooper, second Glenn, to amend resolution and add #9 to schedule A: "The Arrowhead-Weston line not be allowed to use or access the easement for their transmission line." Brief discussion on the Arrowhead-Weston line began, but the Chair thwarted further discussion indicating that this resolution does not directly involve the Arrowhead-Weston project. This easement is for Head of the Lakes only. Motion to amend resolution carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #58-02**  
**RESOLUTION BY THE FOREST, PARKS AND RECREATION COMMITTEE**

Subject: Easement to Dahlberg Light & Power Company, Inc.

RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve granting of utility easement to Dahlberg Light and Power Company, Inc., for electric transmission line. (Exhibit L-5-02)

Dated this 16<sup>th</sup> day of May, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Revenue \$100)

ACTION: Motion by Cosgrove, second Zukowski, to adopt. Motion by Hooper, second McKenzie, to amend resolution and add #9 item to Schedule A: "The Arrowhead-Weston line not be allowed to use or access the easement for their transmission line." It was noted that rights under this easement are not transferrable and upon sale of the business would need approval of the Douglas County Board for transfer. Motion to amend carried. Motion to adopt resolution as amended, carried.

**RESOLUTION #59-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Budgetary Transfers

RESOLVED, that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and approve the following transfers:

- (1) Register of Deeds - \$1,664.77 (J.E. #96513 - From capital to supplies, printer was under \$2,000) No fiscal impact;
- (2) Human Services - \$145,121.00 (J.E. #96520 - Record IV-E Contract Plan) No fiscal impact;
- (3) Human Services - \$ 12,285.00 (J.E. #96519 - Adj. budget to contract, Youth Aids) No fiscal impact;
- (4) Human Services - \$ 3,896.00 (J.E. #96518 - Adj. budget to contract, Child Care) No fiscal impact;
- (5) Human Services - \$35,898.00 (J.E. #96517 - Adj. budget to contract, IM) No fiscal impact;
- (6) Human Services - \$12,829.00 (J.E. #96516 - Adj. budget to contract, Elder Abuse) No fiscal impact;
- (7) Human Services - \$182,139.00 (J.E. #96514 - Adj. budget to contract, COP & COP W.) No fiscal impact;
- (8) Human Services - \$2,015,556.00 (J.E. #96515 - Adj. budget to contract) No fiscal impact. Bright Future -\$22,500; AODA Block grant +22,500; COP +\$14,844; Kinship +\$3,338; COP W -\$71,034; CIP +\$600,957; BIW -\$22,991; WIT -\$35,982; Mental Health -\$1,693; IMD Con't +\$8,314; Fam. Sup. Pros. +\$6,065; CIP 1A -\$109,551; CIP 1B -\$51,990;
- (9) Highway Department - \$6,204.70 (Transfer reserved fund balance for STP project to operating budget for project #8750-01-51) No fiscal impact.

Dated this 16<sup>th</sup> day of May, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

(Administrative Note: Two-thirds vote of Board-elect required)



ACTION: Motion by Glenn, second C. Johnson, to approve. Roll call vote taken and passed with 25 Ayes, 0 Noes, 3 absent. Absent were Martin, Ward and Quam.

#### **ADMINISTRATIVE COORDINATOR REPORT**

Koszarek presented an update on merger of Health and Human Services. It had been projected \$100,000 cost savings that may be possible. In the last month, it was recommended to Administration Committee to fill the sanitarian position, dropping the savings projection to about half. The original cost savings projection was based on trying to do some reassignment of duties, especially with department heads. As this was studied and the monies generated by billing for the sanitarian duties, it was recommended to fill the position because of no impact on the tax levy. In respect to consolidation, a primary goal is not to decrease the types of services either agency would provide. There may be additional savings and that will be included in full report next month. Brief discussion followed.

#### **COUNTY BOARD CHAIR REPORT AND APPOINTMENTS:**

**2002-04 Committee Appointments:** Motion by Allen, second W. Johnson, to approve, with correction to Executive Committee membership, adding Robert Browne, David Conley, and Bean Prettie. Motion carried.

**Joint City Council/County Board Meeting:** Tentative schedule set for June 18<sup>th</sup>. Time will be announced, with location to be Public Library again.

#### **COMMITTEE REPORTS:**

Zukowski reported Buildings & Grounds Committee met today at 3:30 and have been meeting weekly the last month or two. He thanked committee members for their diligent work on the committee. FF&E bids were opened Tuesday and will be reviewed next Thursday.

Coletta reported Board of Health met yesterday and it appears January - April, there are revenues of about \$15,000 over expenses. These are preliminary figures subject to change via Medicare payments. These are actual revenue reports at this time, but a decision later by Medicare can change how that looks. Monthly figures will be provided on an actual basis, but not final until audit report done. Audit report for the entire County will be ready by end of this month. County-wide and department-wide reports will be incorporated into that report.

McKenzie reported PRI RU TA (resource conservation and development) are looking for people doing organic farming - cattle, dairy, vegetables - to help with a survey to precede a federal study they are planning to do. Call Extension Office if you have someone interested or have ideas on this. She reminded that this organization also works in helping communities relieve poverty situations.

K. Johnson reported Public Library will begin out of state user fee \$20 beginning January 1, 2003. Revenues versus library use will be tracked, to see if the fee has a positive or negative impact.

K. Johnson reported the Recycling/Solid Waste Committee has set June 15<sup>th</sup> for a tire and appliance day, at same sites and times as last year.

Browne reported that Recreational Trails Committee received Chamber report that winter sports increased substantially this last year, resulting in increased revenues to Douglas County business. Fall and summer recreational uses have also increased this last year.

C. Johnson announced that there will be a 90<sup>th</sup> birthday gathering for Ken Olson, County Surveyor, at Parkland Town Hall.

**APPROVAL OF BILLS AND CLAIMS:**

Motion by Shepard, second James O'Brien, to approve. Motion carried.

**SUCH OTHER MATTERS AS AUTHORIZED UNDER THE WISCONSIN STATUTES:**

**Administration Committee Meeting Schedule:** Motion by Prettie, second Coletta, to refer feasibility study on costs to hold committee meetings in the evening and in rural areas, to the Administration Committee, and to report back to the Board. Motion carried.

**Events for Youth:** Fun Fest in North End coming up, and dance at Wessman Arena. Dates will be announced. Browne encouraged all supervisors to support Douglas County Humane Society.

**State Funded Conservation Positions:** McKenzie reported that the State offers \$85,000 annually to counties for conservation positions, and this year, if Douglas County does not take it, the money will go elsewhere.

**ADJOURNMENT** - Motion by Allen, second W. Johnson, to adjourn. Motion carried. Adjourned 8:50 p.m. Next regularly scheduled meeting - June 20, 2002.

Submitted by,

Susan T. Sandvick  
Douglas County Clerk

**PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS**  
**Thursday, June 20, 2002, 6:00 p.m., City-County Complex Chambers**  
**1409 Hammond Avenue, Superior, Wisconsin**

Meeting called to order by Chairman Douglas Finn.

Pledge of Allegiance recited.

Roll call taken by County Clerk Susan T. Sandvick. There were 24 present, 4 absent. Absent and excused were William Eckman, John Shepard, Sr., Louis Willie. Absent was Terry Waterman.

Motion by Glenn, second Hooper, to approve May 16, 2002 meeting minutes. Motion carried.

**CORRESPONDENCE**

1. Douglas County Association of Lakes and Streams, invitation to participate in fourth annual Northwest Lakes Leadership Conference on June 28, 2002. Referred to Zoning Committee and Land Conservation Committee.
2. State of Wisconsin, Division of Hearings and Appeals, notice of adjourned public hearing and notice of telephone conference to reschedule hearing on Alliance Construction, Inc. permit to grade on banks of St. Louis River. Received and placed on file.
3. Department of Natural Resources, notice of grading permit application by City of Superior for bank of Nemadji River for installing storm sewer system. Received and placed on file.
4. United States Coast Guard, renewal of agreement with Douglas County for period October 2002 through September 2002. Referred to Land and Development Committee.
5. The Development Association, confirmation of Association's agreement to perform prescribed activities per Douglas County's application for and award of CDBG-Emergency Grant. Referred to Land and Development Committee.
6. Department of Natural Resources, notice of request from Johnson Materials Company, Superior, to revoke air pollution control permit for plant permanently shut down. Received and placed on file.
7. Wisconsin Counties Association, information and registration materials for 2<sup>nd</sup> Annual Native American Educators Conference, July 23 - 25, 2002. Received and placed on file.

8. Superior Water Light & Power Company, notice of proposed rate increase and plan for public hearings. Received and placed on file.
9. Short Elliott Hendrickson Inc., notice of public hearing on improvements of US 2 from Clevedon Road to Wills Road, June 25, 2002, 6:00 to 8:00 p.m. Referred to Highway Committee.
10. Elizabeth Franczyk, regarding emergency services in the rural areas. Referred to Law Enforcement Committee.
11. Linsey Burns, regarding fire and law enforcement services in the rural areas. Referred to Law Enforcement Committee.
12. Department of Natural Resources, notice of intent to reissue pollutant discharge elimination system permit to Maple School District. Received and placed on file.
13. Public Service Commission of Wisconsin, "Draft Environmental Impact Statement on Rainy River Superior Generation Project. Referred to Environment, Agriculture and Extension Committee.
14. Wisconsin Counties Association, invitation to "Consolidation & Service Coordination" seminar, July 29, 2002, in Madison. Referred to City-County Committee.
15. Wisconsin Department of Public Instruction, "Spring School District Certification of 2001 Values - School Aid." Received and placed on file.
16. Wisconsin Counties Association, call for nominations for WCA's Second Vice President, deadline of July 19, 2002. Received and placed on file.
17. Department of Natural Resources, assessment of severance share on wood products cut from Douglas County forest lands. Referred to Forest, Parks and Recreation Committee.
18. Wisconsin Department of Transportation, relocation order and map for work on STH 2, Clevedon Road - Sznaider Road. Referred to Highway Committee.
19. Resolutions from Jackson County and Ozaukee County encouraging state funding for long-term mental health inpatient hospitalizations at state institutions. Referred to Human Services Board.
20. Wisconsin Counties Association, notice of Midwest Conference of Counties Annual Conference, June 25-27, 2002 in Indianapolis. Received and placed on file.
21. National Organization on Disability, announcement of Elizabeth Davis as Director of Emergency Preparedness Initiative. Received and placed on file.

22. Northern Waters Library Service, 2003 assessment for Douglas County's funding to Superior Public Library. Referred to Administration Committee.
23. Public Service Commission of Wisconsin, notice of hearing July 30-31, 2002, in Madison, on revision of Chapter PSC 165 - Consumer Protection Rules. Referred to Corporation Counsel.

Correspondence not on agenda:

24. Wisconsin Counties Association, notice of National Association of Counties Annual Conference, July 12-16, 2002, in New Orleans. Received and placed on file.
25. Candace Fitzgerald, letter of resignation. Referred to Administration Committee.
26. Sheriff Pukema, appointment of new jail transition coordinator. Referred to Law Enforcement Committee, Buildings and Grounds Committee, and Administration Committee.
27. Lucius Woods Performing Arts Center Board of Directors, thank you for contribution supporting 2002 season. Received and placed on file.
28. Great River Energy, notice of improvements to transmission line connecting Bardon Substation and Summit Substation, including route map. Referred to Land and Development Committee.
29. Wisconsin Department of Transportation, notice of minor revisions to approved right-of-way plat for Nemadji River Bridge and Approaches - STH 35 project, including revised plat. Referred to Highway Committee.
30. Assembly Chairman John Gard, Joint Committee on Finance, letter regarding payment of impact fees associated with possible construction of the Arrowhead-Weston transmission line. Referred to Land and Development Committee and Forest, Parks and Recreation Committee.
31. Superior Water Light & Power Company, estimated shared revenue anticipated from the Rainy River Superior generation plant. Referred to Administration Committee.

## **PRESENTATIONS**

James Litwin, Construction Manager, was not able to be present tonight and will report next month.

County Board Chair Finn presented the Employee of the Quarter Award to Janice Cox, Office Specialist in the Health Department. Department Head Patrick Heiser was present and spoke of her quality of work, and going beyond job expectations. Cox expressed her gratitude to the Board for job security and flexibility afforded her by the County.

Motion by Liebaert, second Browne, to suspend rules and allow Rick Davy to present a petition to the Board. Motion carried.

Petition Opposing Arrowhead-Weston Power Line: Rick Davy presented a petition containing several hundred signatures, opposing the Arrowhead-Weston power line, and supporting the Board's decision to oppose the line. Petition will be referred to the Forest, Parks and Recreation Committee, and Land and Development Committee.

## **ORDINANCES**

### **AMENDMENT TO ORDINANCE #8.0 ZONING ORDINANCE PRESENTED BY THE ZONING COMMITTEE**

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF DOUGLAS DOES ORDAIN AS FOLLOWS:

WHEREAS, the Douglas County Zoning Committee held a public hearing on May 9, 2002, on the following petitions for amendment of the county zoning district ordinance map:

- (1) Part of the East 1/2 of the East 1/2 of the Northeast 1/4 of the Northwest 1/4, Section 8, T48N-R13W, Town of Parkland, from R-2: Residential zoning district to the R-1: Residential zoning district, by James Novak, 5436 E. City Limits Road, South Range, Wisconsin. Intended Use: Residential.
- (2) Northeast 1/4 of the Northwest 1/4, Section 5, T43N-R14W, Town of Dairyland, from F-1: Forestry zoning district to the A-1: Agriculture zoning district, by Bruce & Vickie Tourville, 207 4<sup>th</sup> Street, Star Prairie, Wisconsin. Intended Use: Residential.

WHEREAS, the Douglas County Zoning Committee held a public hearing on June 13, 2002, on the following petition for amendment of the county zoning district ordinance map:

- (3) East 1/2 of the Northwest 1/4 of the Northeast 1/4 of the Northeast 1/4, Section 14, T48N-R14W, Town of Superior, from the W-1: Resource Conservation zoning district to the R-2: Residential zoning district, by Gregory Pals, et. al., 4324 E. Hammond Avenue, Superior, Wisconsin. Intended Use: Residential.

WHEREAS, proof of publication of the notice of the public hearings, proof of giving notice to the town clerks of the hearings, and correspondence from the towns is as shown on Exhibit A-6-02.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors accept the recommendations of the Zoning Committee and approve the petitions.

BE IT FURTHER RESOLVED, that the County Clerk notify the town clerks of the action.

Dated this 20<sup>th</sup> day of June, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by C. Johnson, second Coletta, to adopt. Motion carried.

**AMENDMENT TO ORDINANCE #1.5  
REPURCHASE OF TAX DEEDED LANDS TO  
FORMER OWNER  
PRESENTED BY THE LAND AND DEVELOPMENT COMMITTEE**

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF DOUGLAS DOES ORDAIN AS FOLLOWS:

Correct title of ordinance: REPURCHASE OF TAX DEEDED LANDS ~~TO~~ BY FORMER OWNER.

**SECTION I. PURPOSE**

The purpose of this ordinance is to give a preference to a former real property owner or his heirs to repurchase lands deeded to Douglas County for the nonpayment of taxes as provided in Wisconsin Statutes Section 75.35(3). Said former owner may repurchase said lands upon the following terms and conditions by making written application to the County Clerk of Douglas County:

That said former owner or his or her heirs, or representative file the application by February 20 of the year following the taking of the tax deed and pay in full to Douglas County by March 1, all delinquent taxes and special assessments with interest and penalties together with the amount of taxes which would have been assessed against said property during the time Douglas County owned said property based on the last assessed tax. Amounts charged to former owners based upon anticipated years the repurchased property will not be on the tax roll may be rebated if the repurchased property is subsequently placed on the tax roll for those years.

Dated this 20<sup>th</sup> day of June, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

**ACTION:** Motion by Glenn, second Hooper, to adopt. County Clerk Sandvick briefly explained the rational for the change. Motion carried.



## **PLAT APPROVAL**

Approval of Harbor Bay Condominiums Plat in Town of Wascott. Motion by Coletta, second C. Johnson, to approve. Motion carried.

## **RESOLUTIONS**

### **RESOLUTION #60-02**

#### **RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales

WHEREAS, Douglas County has advertised for sale various parcels of land on May 3, 10 and 17, 2002, in accordance with Section 75.69 of the Wisconsin Statutes and the highest bids received are as follows:

- \$ 4,000.00 Parcel 12-02: Blocks 27, 29, 30 31, East 19<sup>th</sup> Street, Townsite of Superior and Lots 226 through 240 (even #s), Block 26, East 20<sup>th</sup> Street, Riverview, City of Superior, known as 3818-32 and 3901 through 32 East 19<sup>th</sup> Street and 3801 through 3931 East 20<sup>th</sup> Street, from Gerald Lozon. Intended Use: Owns adjacent property and needs land to conform with city ordinance in order to build.
- \$ 600.00 Parcel 30-02: Lot 26, Block 99, West Superior, 1<sup>st</sup> Division, City of Superior, known as 1018 Hughitt Avenue, from Alvin Westlund. Intended Use: Owns adjacent property.
- \$ 8,600.00 Parcel 34-02: That part of Lots 7 through 10 Inclusive, lying North of existing driven road known as Tri Lakes Road and South of platted Dowling Road, Sunnyside 2<sup>nd</sup> Addition to Dowling Lake, Town of Oakland, from Alfred Hope. Intended Use: Owns adjacent property.
- \$ 1,400.00 Parcel 38-02: Lot 1, Block 18, Billings Addition to West Superior, City of Superior, known as 1901 Elmira Avenue, from CenturyTel. Intended Use: Upgrade service with a cross box on this lot.
- \$ 570.00 Parcel 40-02: West 71.07 Feet of Lot 15, Block 138, Burhan's Addition to West Superior, City of Superior, known as 1228 Baxter Avenue, from Mike Spinner and Lynn Danielson. Intended Use: Owns adjacent property.
- \$ 500.00 Parcel 41-02: Lot 22, Block 31, West Superior, 2<sup>nd</sup> Division, City of Superior, known as 514 Baxter Avenue, from Jillene Johnson. Intended Use: Owns adjacent property.

\$ 620.00 Parcel 42-02: Lot 21, Block 180, West Superior, 5<sup>th</sup> Division, City of Superior, known as 1716 Banks Avenue, from Randy Ketcher. Intended Use: Owns adjacent property.

\$ 2,110.00 Parcel 43-02: Lot 3, Block 9, Merriam Park, an Addition to West Superior, City of Superior, known as 2205 Tower Avenue, from James Ellis. Intended Use: Owns adjacent property - additional lawn.

\$ 3,520.00 Parcel 44-02: Lots 9 and 10, Block 6, Billings Addition to West Superior, City of Superior, known as 1617-19 Washington Avenue, from Clarence Brown. Intended Use: Build a house.

\$ 1,500.00 Parcel 46-02: Lots 97 and 99, West 9<sup>th</sup> Street, Townsite of Superior, City of Superior, known as 2729-31 East 9<sup>th</sup> Street, from Ed Kelly. Intended Use: Owns adjacent property.

\$ 1,500.00 Parcel 47-02: Lot 22, Fairview Addition to Amnicon Lake, Town of Summit, from Don Thorp. Intended Use: Recreation.

NOW, THEREFORE, BE IT RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute a quit claim deed to the above named persons on the above named properties.

Dated this 20<sup>th</sup> day of June, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase Profit and Loss on Land Sales Account” by \$24,920.00)

ACTION: Motion by Allen, second Glenn, to adopt. Motion carried.

**RESOLUTION #61-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales - Special

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve sale of the following described properties, which were previously advertised and did not sell:

\$ 1,139.32 Parcel 39-02: North ½ of South ½ of South ½ of SW1/4 of SW1/4, Section 7-46-11, Town of Hawthorne, from Maxine Leffel. Intended Use: Owns adjacent property; part of her house is on this land.

\$ 530.00 Parcel 59-99: Lots 27 and 28, Block 20, South Superior, LaBelle Division, known as 5510-12 Butler, City of Superior, from Marcia Geyer. Intended Use: Owns adjacent property.

\$ 9,800.00 Parcel 90-01: Northwest 1/4 of Northwest 1/4, Section 14, Township 46 North, Range 12 West, Town of Bennett, except recreation trail, from Donald Thorp. Intended Use: Forestry.

BE IT FURTHER RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute a quit claim deed to the above named persons on the above named properties.

Dated this 20<sup>th</sup> day of June, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$11,469.32)

ACTION: Motion by Martin, second Allen, to adopt. Motion carried.

**RESOLUTION #62-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales - Special

WHEREAS, Parcel Nos. 10D-02 and 10F-02 were referred from the May 16, 2002, County Board meeting to the Land and Development Committee for further review, and

WHEREAS, the committee has met and discussed issues regarding access to the property and adjacent county-owned property and determined it would refer sale back to the Board, as previously recommended.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Land and Development Committee and approve sale of the following described properties, which were previously advertised on April 5, 12, and 19, 2002, in accordance with Section 75.69 of the Wisconsin Statutes, and the highest bids received are as follows:

\$ 26,666.66 Parcel 10D-02 - Southwest 1/4 of Northwest 1/4, Section 12-48-13, Town of Parkland, from Greg Standen. Intended Use: Recreation.

\$ 35,333.33 Parcel 10F-02: North 1/3 of Southwest 1/4 (excluding property retained for access, to be more specifically described on deed), Section 12-48-13, Town of Parkland, from Greg Standen. Intended Use: Recreation.

BE IT FURTHER RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, that the County Clerk be, and she hereby is, authorized to execute a quit claim deed to the above named person on the above named properties.

Dated this 20<sup>th</sup> day of June, 2002.

(Committee Action: Roll call vote: 4 - 2 - 1)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$61,999.99)

ACTION: Motion by Allen, second Glenn, to adopt. W. Johnson stated Parcel #10D-02 was not advertised in the best interest of the County, as it landlocks five 40's, and all should have been sold as one parcel. Allen clarified that the entire acreage was not advertised that way. The Land and Development Committee has adopted the practice of splitting large acreage into 40's and 20's, primarily to give adjacent landowners a chance to bid.

Motion by Allen, second Martin, to suspend rules and allow Standens to address the board. Motion carried. Standens indicated they have no problem with an easement for access to other parcels.

Liebaert asked if the back parcels will go up for sale. Allen indicated the committee will address future sale of those parcels either individually or as one parcel. Discussion followed on the timber appraisal of the parcels Standen is purchasing. Motion by Quam, second Hooper, to refer this back to committee. Conley stated he believes the Land and Development Committee has done a good job on behalf of the County and trusts their recommendation. Extensive discussion followed, and Glenn reminded the Board that it was referred last month, the committee reviewed it again, and put an easement on the property so access is available. Sandvick clarified the County retained a portion of the property for access to the back 40's. Main concerns of several supervisors were confusion regarding value of the timber and the landlock situation. Roll call vote on referral taken and failed with 6 Ayes, 18 Noes, 4 Absent. Voting yes were Coletta, Browne, Quam, McKenzie, Hooper, K. Johnson. Absent were Waterman, Willie, Shepard., Eckman. Liebaert questioned if the timber cruise was done on the entire parcel, prior to separately advertising. Sandvick's recollection was there were separate timber values set. Corporation Counsel Felker indicated there is a legal statutory mechanism whereby access to landlocked parcels can be gained, but it is a difficult process. Motion to adopt was carried.

### **RESOLUTION #63-02**

#### **RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Parkland Hay Lease

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve renewal of lease of 270 acres of Parkland hay lands, described as follows:

All that part of Section 16-48-13, lying west of the Chicago & NW Ry. Co. R/W, except part deeded in Volume 355 RP 313 & 341 RP 338, and except part deeded in Volume 596 RP 429 and 609 RP 958 known as Lot 1 and 5 of Parkland Industrial Park, also leased that part of Section 9-48-13, bounded by Grand Avenue, the Duluth Missabe & Interstate Railroad Co. R/W, the western boundary of Section 9 and County Trunk Z, to Tom E. Johnstad, for the amount of \$643.00.

BE IT FURTHER RESOLVED that the lease agreement will run from May 1, 2002 to April 30, 2003.

Dated this 20<sup>th</sup> day of June, 2002.

(Committee Action: Unanimous)

(Fiscal Note: \$643.00 revenue)

ACTION: Motion by Allen, second Hooper, to adopt. Motion carried.

**RESOLUTION #64-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Sale of Property to Village of Oliver

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve sale of the following described property to the Village of Oliver, for the minimum amount of \$ 300.00 per lot, or if the proceeds from sale are over and above \$300.00 per lot, they be split 50/50 between the Village of Oliver and Douglas County:

Lot 6, Block 28, Oliver Central Division; Lots 17, 18, 19, 21, 23, and 24, Block 17, Carnegie Central Division; Lots 1, 2, 3, 9, and 10, Block 18, Carnegie Central Division; and Lots 17 through 32, Block 42, Riverside Addition to St. Louis, Village of Oliver.

BE IT FURTHER RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute a quit claim deed to the Village of Oliver on the above named property.

Dated this 20<sup>th</sup> day of June, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by minimum of 28 lots at \$300 per lot = \$8,400.00)

ACTION: Motion by Ryan, second Allen, to adopt. Motion carried.

**RESOLUTION #65-02**  
**RESOLUTION BY THE DOUGLAS COUNTY**  
**BOARD OF SUPERVISORS**

Subject: Requesting State Legislature to Increase Recording Fee for Documents in Register of Deeds Office

WHEREAS, the recording fee for documents in the Register of Deeds Office has had increases, but none of these increases could be used for general operating purposes; and

WHEREAS, the recording fee for a document is currently \$11.00 for the first page and \$2.00 for each additional page of the same document, and since 1982, the county has been allowed, by statute, to retain \$4.00 of the recording fee and the \$2.00 for each additional page; and

WHEREAS, in 2001, there were over 23,500 additional pages recorded in the Douglas County Register of Deeds Office; and

WHEREAS, an increase in the recording fee would generate a considerable amount of revenue which would be credited to the general fund.

NOW, THEREFORE BE IT RESOLVED, that the Douglas County Board of Supervisors encourages the State Legislature and the Governor to enact legislation to increase the recording fee for documents in the Register of Deeds Office by \$1.00, changing the fee from \$2.00 to \$3.00 for each additional page.

BE IT FURTHER RESOLVED that upon passage of this resolution, the County Clerk is requested to send copies to Governor McCallum, Douglas County's legislative delegation, the Wisconsin Counties Association, and the other 71 Wisconsin counties.

Dated this 20<sup>th</sup> day of June, 2002.

(Committee Action: Roll call vote taken: 8 - 3 - 0.)

(Fiscal Note: \$1.00 increase would produce revenue of approximately \$23,500)

ACTION: Motion by Coletta, second John O'Brien, to adopt. Motion by McKenzie, second Allen, to amend resolution so it is sponsored by the entire County Board. Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #66-02**  
**RESOLUTION BY THE JUDICIARY, LEGISLATIVE AND VETERANS COMMITTEE**  
**AND THE ADMINISTRATION COMMITTEE**

Subject: Objection to Elimination of Shared Utility Payments

WHEREAS, the state has collected utility taxes since 1929 for efficiency purposes and had returned 83% of these taxes to counties and local units of governments as “in lieu of property tax” payments until the early 1970s; and

WHEREAS, since creation of general shared revenues, the state has dramatically reduced these payments to help fund those general shared revenues; and

WHEREAS, only 19% of these utility taxes, or \$26 million out of \$138 million collected, are actually returned to counties and local units of government which have utility sites; and

WHEREAS, the “budget reform proposal” would reduce those tax payments to nothing.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors objects to this supposed “reform” because it results in the state’s diversion of even more dollars that are properly due Douglas County and other jurisdictions as “in lieu of property tax” payments.

BE IT FURTHER RESOLVED that the Douglas County Board of Supervisors urges the Governor and Legislature to enact a plan that either fairly and properly compensates counties and local units of government for hosting utility sites, or returns taxing authority for utility property to these jurisdictions.

BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this resolution to Governor Scott McCallum, Senate President Fred Risser, Assembly Speaker Scott Jensen, Senators Robert Jauch, Representative Frank Boyle, and the County Clerks for those counties that are members of the Wisconsin Counties Utility Tax Association.

Dated this 10<sup>th</sup> day of June, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Martin, second Prettie, to adopt. Motion carried.

**RESOLUTION #67-02**  
**RESOLUTION BY THE JUDICIARY, LEGISLATIVE AND VETERANS COMMITTEE**  
**AND THE ADMINISTRATION COMMITTEE**

Subject: Opposition to Senate Bill 232 and Assembly Bill 294

WHEREAS, under the current fair employment law, if an employer is found to have refused to hire an individual, terminates an individual's employment, or discriminated against an individual in promotion, compensation, or in terms, conditions or privileges of employment on the basis of the individual's age, race, creed, color, disability, marital status, sex, national origin, ancestry, arrest or conviction records, membership in the national guard or military reserves, or use or non-use of a lawful product during non-work hours, the Department of Workforce Development may order the person to take such action as will effectuate the purpose of the fair employment law; and

WHEREAS, that action may include reinstating the employee, providing back pay for not more than two years before the filing of the complaint, costs, and attorney fees; and

WHEREAS, 2001 Senate Bill 232 and Assembly Bill 294 would require employers to pay both compensatory and punitive damages where an Administrative Law Judge determines that discrimination based on sex, race, color, national origin, or ancestry has occurred; and

WHEREAS, there are no limits as to the amount an Administrative Law Judge can award for compensatory and punitive damages and such damages may be awarded even in cases of an unintentional discrimination; and

WHEREAS, unlike the federal law which exempts municipal employers from liability for punitive damages, 2001 Senate Bill 232 and Assembly Bill 294 contain no such exemption; and

WHEREAS, 2001 Senate Bill 232 and Assembly Bill 294 provide for payment to the Department of Workforce Development of an assessment equal to 10% of the amount of compensatory and punitive damages ordered which must be used for the administration of the fair employment law; and

WHEREAS, this assessment goes directly back into the department for which the Administrative Law Judge works; and

WHEREAS, the passage of these bills could have a significant negative impact on all employers, including counties, throughout the State of Wisconsin.

NOW, THEREFORE, BE IT RESOLVED by the Douglas County Board of Supervisors that Douglas County strongly opposes 2001 Senate Bill 232 and Assembly Bill 294 which would allow the awarding of compensatory and punitive damages under the Wisconsin Fair Employment Act.

BE IT FURTHER RESOLVED by the Douglas County Board of Supervisors that copies of this resolution be forwarded to Senator Robert Jauch, Representative Frank Boyle, Governor Scott McCallum, Wisconsin Counties Association Executive Director Mark O'Conner, and all other Wisconsin counties.



Dated this 20<sup>th</sup> day of June, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by James O'Brien, second Prettie, to adopt. Motion carried.

**RESOLUTION #68-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Budgetary Transfers

RESOLVED, that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and approve the following transfers:

- (1) Highway - \$6,204.70 (J.E. #97165 - Transfer from reserved fund balance for STP Project #8750-01-51; approved last month);
- (2) Human Services - \$86,213.00 (J.E. #97163 - State contract change - additional Community Reinvestment Funds - will be used to replace levy funds); and
- (3) Human Services - \$55,641.00 (J.E. #97162 - State contract amendments - COP \$2,719, High Cost and CIP \$52,922).

Dated this 20<sup>th</sup> day of June, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

(Administrative Note: Two-thirds vote of Board-elect required)

ACTION: Motion by Cosgrove, second Zukowski, to adopt. Roll call vote taken and passed with 24 ayes, 0 noes, 4 absent. Absent were Willie, Shepard, Eckman, Waterman.

**RESOLUTION #69-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Resolution #29-02 Amended - Human Services Department Staff Interim Pay

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and amend Resolution #29-02 to correct the hourly stipend for Rob Sowl from \$0.52 to \$1.19 for ten hours per week, for a total cost of \$319.40.

Dated this 20<sup>th</sup> day of June, 2002.

(Committee Action: Unanimous)

(Fiscal Note: \$319.40)

ACTION: Motion by Quam, second Coletta, to adopt. Motion carried.

**RESOLUTION #70-02**  
**RESOLUTION SPONSORED BY DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: Interim Appointments Extended

WHEREAS, Resolution #157-01 appointed Steve Koszarek as Acting Administrative Coordinator, until July 1, 2002, and

WHEREAS, Resolution #10-02 appointed Pat Schanen as Acting Human Services Director, until June 30, 2002, and

WHEREAS, Resolution #11-02 appointed Kate Peterson as Acting Assistant Human Services Director, until June 30, 2002, and

WHEREAS, Resolution #25-02 assigned supervisory duties in the Human Services Department Youth Services Unit to Rob Sowl, until June 30, 2002, and

WHEREAS, permanent appointments to the above mentioned positions are pending and will not be determined prior to the expiration date for the temporary assignments.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors accept the recommendations of Supervisors Finn and Hooper and extend the following appointments:

- (1) Steve Koszarek as Acting Administrative Coordinator;
- (2) Pat Schanen as Acting Human Services Director;
- (3) Kate Peterson as Acting Assistant Human Services Director; and
- (4) Rob Sowl, supervisory duties for Human Services Department Youth Services Unit,

until such time as permanent replacements are hired and approved by the Douglas County Board of Supervisors.

BE IT FURTHER RESOLVED, that the above employees continue to receive the accompanying interim pay associated with the interim appointments.

Dated this 20<sup>th</sup> day of June, 2002.

(Fiscal Note: \$1,420.00 per month within budget)

ACTION: Motion by Zukowski, second James O'Brien, to adopt. Motion by Zukowski, second Cosgrove, to amend resolution so it is sponsored by the entire County Board. Motion carried. Motion to adopt resolution as amended, carried.

**RESOLUTION #71-02**  
**RESOLUTION BY SUPERVISORS ON THE HUMAN SERVICES BOARD**  
**AND THE ADMINISTRATION COMMITTEE**

Subject: Agreement with Northwest Regional Planning Commission for Housing Survey

WHEREAS, the Northwest Regional Planning Commission is a legally constituted regional planning agency created pursuant to the statutes of the State of Wisconsin and its own adopted by-laws, and

WHEREAS, further pursuant to the statutes of the State of Wisconsin and the Commission's by-laws, the Commission has been granted the power to enter into contracts with any local unit of government within the region for the purpose of providing technical assistance on planning and development matters, and

WHEREAS, Douglas County is a local unit government within the region, and

WHEREAS, Douglas County has requested technical assistance from the Commission as specified in the scope of services.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Human Services Board and Administration Committee and enter into an agreement with Northwest Regional Planning Commission, as follows:

**SCOPE OF SERVICES:** The Commission will meet with a designated committee/board to discuss the distribution of the required housing survey for a Community Development Block Grant housing program application. At this meeting, a selected set of towns and villages will be identified to receive a survey. The survey will be mailed and returned to NWRPC for analysis. It may be necessary to complete a follow-up survey of households not responding, as a 55% response rate by jurisdiction is required for them to be included as a target area in the application.

**COST:** Total cost of this agreement is estimated to be \$1,300.00 to \$1,800.00. The Commission will bill the County upon completion of the survey results.

BE IT FURTHER RESOLVED that the cost of this survey be paid out of the Human Services Department W-2 funds.

BE IT STILL FURTHER RESOLVED that the Human Services Board be designated as the committee to work with Northwest Regional Planning Commission and the Acting Human Services Director be authorized to sign an agreement with Northwest Regional Planning Commission as set out above.

Dated this 20<sup>th</sup> day of June, 2002.

(Committee Action: Unanimous)

(Fiscal Note: \$1,300.00 to \$1,800.00)

ACTION: Motion by McKenzie, second Conley, to adopt. Motion carried.

**ADMINISTRATIVE COORDINATOR REPORT:** No report as Koszarek not present.

**COUNTY BOARD CHAIR REPORT AND APPOINTMENTS:**

The following appointments were recommended: Superior/Douglas County Sesquicentennial Committee - Lew Martin. Douglas County POWTS (Comm 83) Advisory Committee - Wes Johnson, Chair; Dana Parask, Vice Chair; Chuck Pleski, Patrick Heiser, Steve Rannenberg, Jim Rausch, Robert Brown, Harry Wester, Bill Kovalski, Doug Botten, Roy Colborn; Alternates - Dennis Hill, Gary Saari, Dave Walters, Jan Dalbec, Eric Shaffer, Bill Van Damme, Dale Johnson. Motion by Hooper, second Coletta, to approve. Motion carried.

First POWTS Committee meeting: Tuesday, July 9<sup>th</sup>, 4:00 p.m., Courthouse Room 207C.

The Chair announced Governor McCallum will be at the Superior Business Center on June 25<sup>th</sup>, 9:15 a.m., to make a favorable announcement. Board members encouraged to attend.

Chair thanked Board members for extending Acting Administrative Coordinator appointment to Koszarek. Evaluation forms were sent to all County Board Supervisors, as well as an invitation to attend the Administration Committee's closed session where evaluations were reviewed. Meeting again next week to consider the appointment permanent. Another item at next Administration Committee will be consideration of County Administrator position. Hooper stated her disappointment that very few attended the meetings on this, after she had specifically sent memo to all supervisors, but added she won't stop sending the notices in hopes more will attend. Special Administration Committee meeting is next Tuesday at 10:00 a.m., and Hooper encouraged attendance as input is important. Chair Finn advised that any Board members who may not have received a copy of Koszarek's evaluation, but would like to review it, can get a copy from him. Chair announced Candace Fitzgerald's resignation.

**\$5.00 Flower Fund Assessment:** Motion by Hooper, second Coletta, to take five dollars out of each County Board member's salary for flower fund. Motion carried.

**COMMITTEE REPORTS:**

Coletta reported Home Health Department continuing to do very well and only actual revenues will be reported. Total Health Department showed a \$7,000 surplus for 2001. Home Health was breakeven. So far this year, breaking even through May.

Conley reported Human Services Board will be meeting next Thursday, with a closed session scheduled to discuss personnel issues, compensation and hours of specific positions. In-house accountant has reported the budget is right on target for mid-point of the year.

C. Johnson announced a special Zoning Committee meeting for next Thursday, June 27<sup>th</sup>, 10 a.m., for preliminary discussion on Land Use Plan, amendment to the Shoreland Zoning Ordinance, requirement regarding circular driveways and signs.

Glenn reported the Law Enforcement Committee has received, as well as all County Board members, a Jail Operations Business Plan, prepared by Sheriff Pukema and his staff. This will be discussed at next Wednesday's Law Enforcement Committee meeting, and he encouraged all to read the plan. It includes information on the transition process and staffing of the new jail. It will most likely be discussed at the Administration Committee on July 8<sup>th</sup>.

Zukowski reported Buildings and Grounds Committee has been meeting weekly for the last two or three months, but now is slowing down a bit. Next meeting will be July 11<sup>th</sup>. No construction progress meeting this week, and they are looking to go to every two weeks. FF&E bids still being scrutinized. Passive antenna test in the building went well. Zukowski added that the flag flying half mast at the City-County Complex is in memory of City Finance Director Tim Nelson who passed away this week.

Quam reported that Labor Management has scheduled the annual county picnic at Lakehead in August. Specifics will be noted on bulletin boards and via memo.

Browne reported Recreational Trail Committee met and Recreational Officer Steve Olson reported some problems with ATV's and dirt bikes in the rural areas, which is damaging some Douglas County and private property. Designating play areas for such vehicles is one idea for consideration.

Browne also reported Forest, Parks and Recreation Committee meeting is Monday at 9:30 a.m. in Solon Springs.

K. Johnson reported the Solon Springs Library has moved into the larger room. Last May had just over 300 users, and this year 900. Superior Public Library received grant for computers, including one for Solon Springs. Library Board Planning Committee meets June 26<sup>th</sup>, at Superior Library.

K. Johnson reported Recycling and Solid Waste Committee had excellent turnout for appliance, tires and hazardous waste recycling day. She'll have numbers on that next month.

Cosgrove reported Environment, Agriculture and Extension Committee meeting will be Tuesday, July 9<sup>th</sup>. Time has been changed to 3:30 p.m. He also encouraged Supervisors to attend the grand opening of the Solon Springs Community Center, June 30<sup>th</sup>, 2 p.m. Home Health Care and other county programs already using the facility.

Martin reported Bong Heritage Center is progressing, and National Guard in Duluth spent 16,000 hours on refurbishing the plane. Dedication Sept 21 - 24, with actual dedication the 24<sup>th</sup>. It was noted the Wisconsin Counties Association Convention is scheduled for 22 through 25<sup>th</sup>.

**APPROVAL OF BILLS AND CLAIMS:** Motion by O'Brien, second Quam, to approve. Motion carried.

**SUCH OTHER MATTERS AS AUTHORIZED UNDER THE WISCONSIN STATUTES:**

Browne announced special event for teens, ages 13 to 18, Friday, June 21<sup>st</sup>, at Wessman Arena, sponsored by City of Superior Alcohol Task Force. Request for county donation will be sent.

Motion by Allen, second Hooper, to reaffirm stance requesting Public Service Commission hearings on Superior Water Light & Power rate increase be held in Superior, and present as resolution at July County Board meeting, with copies sent to Boyle and Jauch. Motion carried.

Ryan announced the Governor has designated next week Amateur Radio Week, and reminded supervisors of the work they do in emergencies such as the benzene spill.

Quam requested Wendorf be asked to attend July meeting and explain Dragon Boat races.

Postage rates going up, and the Chair encouraged members who live close to courthouse to pick up their mail on Fridays, rather than having it mailed. Brief discussion. Mail sent on Fridays at 3:00 p.m.

**ADJOURNMENT:** Motion by Glenn, second Prettie, to adjourn. Motion carried. Meeting adjourned 7:15 p.m. Next regularly scheduled meeting - July 18, 2002.

Submitted by,

Susan T. Sandvick  
Douglas County Clerk

**PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS**

**Thursday, July 18, 2002, 6:00 p.m.**

**City-County Complex Chambers**

**1409 Hammond Avenue, Superior, Wisconsin**

Meeting called to order by Chairman Douglas Finn.

Pledge of Allegiance recited.

Roll call taken by County Clerk Susan T. Sandvick. There were 24 present 4 absent. Absent and excused were Robert Browne, John O'Brien, Stephen Ward, Wes Johnson.

Motion by Hooper, second Martin, to approve minutes of the June 20, 2002 meeting. Motion carried.

**CORRESPONDENCE**

1. Resolution from Waupaca County opposing 2001 Senate Bill 232 and Assembly Bill 294. Received and placed on file.
2. Resolutions from Waupaca County and Dunn County supporting federal legislation preventing increased importation of milk protein concentrates in the U.S., and use of milk protein concentrates in real dairy products in Wisconsin. Referred to Environment, Agriculture and Extension Committee.
3. Wisconsin Counties Association Services, Inc. announcement of insurance benefits through AAA Wisconsin. Referred to Administration Committee.
4. Resolution from Columbia County urging Wisconsin Counties Association to take a leadership role in providing member counties with information and assistance on requirements of HIPAA (Health Insurance Portability and Accountability Act) compliance. Referred to Administration Committee.
5. Resolution from Lafayette County regarding state funding for long term mental health inpatient care at state institutions. Referred to Human Services Board.
6. Resolution from Dunn County requesting Wisconsin Counties Association to request the Governor and Wisconsin legislature act to continue agreement enabling filing of single income tax return by Wisconsin and Minnesota residents who are employed in the other state. Referred to Judiciary, Legislative and Veterans Committee.
7. Resolution from Langlade County requesting federal and state government to relax requirements for Emergency Medical Technicians. Referred to Law Enforcement Committee.

8. Department of Public Instruction, "Report from the Community Dialogues on Investing in Quality Education." Received and placed on file. Copy on file in County Clerk's Office.
9. Department of Transportation, notice of right-of-way plat revisions for Nemadji River Bridge and approaches, STH 35 - Douglas County. Referred to Highway Committee.
10. Wisconsin Division of Hearings and Appeals, notice of August 8, 2002 public hearing on application by Alliance Construction, Inc., for grading on the bank of the St. Louis River, for purpose of expanding storage facility and trailer park. Received and placed on file.
11. Great River Energy, notice of survey and right-of-way acquisition for proposed 69kV electric transmission line rebuild project connecting Bardonia and Summit substations. Referred to Land and Development Committee and Forests, Parks and Recreation Committee.
12. Wisconsin Public Service Commission, "Strategic Energy Assessment - Draft Report," and notice of Sept. 27, 2002 hearing on the report in Madison. Referred to Corporation Counsel.
13. Wisconsin Department of Health and Family Services, notice of federal and state aids deposit to various Douglas County health and human services programs. Received and placed on file.
14. Wisconsin Counties Association, notice of offices relocation to 22 East Mifflin Street, Suite 900, Madison, WI 53703; Phone 1-866-404-2700. Received and placed on file.
15. Wisconsin Department of Natural Resources, intent to reissue pollutant discharge elimination permit to Middle River Health & Rehabilitation Center. Received and placed on file.
16. Robert Martin, resignation from Board of Adjustment. Referred to County Board Chair.
17. Northern Waters Library Services, "Status Report for the Year 2001." Referred to Library Board Planning Committee.

#### Correspondence Not on Agenda

18. Wisconsin State Treasurer, notice of July 22, 2002 state aid payment to Douglas County. Referred to Administration Committee.
19. Department of Natural Resources, severance share assessment on wood products cut from Douglas County forest lands. Referred to Forest, Parks and Recreation Committee.
20. Department of Natural Resources, notice of application by U.S. Army Corps of Engineers for grading permit and retaining wall work along St. Louis River. Received and placed on file.



21. Governor McCallum, notice of Transportation Projects Commission public hearings regarding selection of major highway projects. Referred to Highway Committee.
22. Dennis Malinowski, Maximus, letter regarding grant opportunity to obtain reimbursement for housing undocumented aliens in the jail, and list of amounts received by Wisconsin, Illinois and Missouri counties in 2002. Referred to Law Enforcement Committee and Administration Committee.
23. Price County, letter from Human Services Department Director and advisory resolution on state funding of long-term mental health inpatient care at state institutions. Referred to Human Services Board.
24. Wisconsin Counties Association, notice of seminar on collective bargaining and binding arbitration, August 19<sup>th</sup> in Eau Claire. Referred to Administration Committee.

### **PRESENTATIONS**

Marjorie Bunce, Representative from Senator Kohl's office, distributed the Senator's newsletter, Congressional Quarterly, list on status of various bills, and copies of The Consumer Action Handbook - 2002. A brief legislative update was presented. Senator Kohl relies heavily on input from local units of government when setting his priorities. He serves on the Judiciary Committee, Appropriations Committee, and Chairs the Agriculture Subcommittee. The Superior Senior Center received some funding last year through the Special Committee on Aging, on which the Senator is a member. Bunce described the process for seeking information, filing complaints, or offering input to the Senator.

James Litwin, Construction Project Manager, summarized Metro Center progress, indicating the project is on schedule. Final budget will be determined once site plan bid and FF&E bid are decided. He stated he is hopeful that within the next 45 days, he can sit down with Chairman Finn, Koszarek and the Finance Director to all get on the same page with the budget. Until that time, he will not be sending out budget information. Discussion followed on a special Administration Committee meeting to be scheduled specifically for clarification on the budget questions. Several supervisors stated their concern is that this project not go over the \$44 million. Litwin indicated this is completely in the county's control. Litwin expressed a primary concern over differing definitions being used for various line items in the budget. As of now, Litwin submitted, Phases 1, 2 and 3 are under budget by \$57,000. Koszarek explained that what Kroll had presented to the Board was a recommendation to add back into the budget some things that were taken out of the project. This is because they may become operational cost items down the line. There are decisions that need to be made on what is included on the priority list. Schedule for occupying Building A is November 1. Move into Building B may be first quarter of 2003. It was re-stated that the budget approved is \$42.8 million, and with interest totals \$44 million. Willie wanted to know if Communications Center and jail kitchen equipment are in the budget. Litwin stated no to both, adding that the kitchen equipment had been removed from the estimate, and Buildings and Grounds Committee

received that information two years ago. Communications Center was never part of the original budget. Waterman questioned if the kitchen and Communications Center are two items that could be done with the interest, or is the plan to use the interest to do what was going to be done for \$42.8 million. Koszarek responded that if FF&E comes in as expected, \$350,000 to \$400,000 less than budgeted, interest could help cover costs for the kitchen equipment and the Communications Center. Communications Center has gone from \$1.2 million to \$630,000 not including the antenna system.

## **ORDINANCES**

### **AMENDMENT TO ORDINANCE #8.0 ZONING ORDINANCE PRESENTED BY THE ZONING COMMITTEE**

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF DOUGLAS DOES ORDAIN AS FOLLOWS:

WHEREAS, the Douglas County Zoning Committee held a public hearing on July 11, 2002, on the following petition for amendment of the county zoning district ordinance map:

Part of the N1/2 of the N1/2 of the SW1/4 of the SE1/4, Laying West of Hwy. T, Section 14, T43N-R14W, Town of Dairyland, from R-2: Residential zoning district to F-1: Forestry zoning district, by Roger & Jill Hatch, 12616 Hastings St. NE, Blaine, Minnesota. Intended Use: Residential.

WHEREAS, proof of publication of the notice of the public hearing, proof of giving notice to the town clerk of the hearing, and correspondence from the town is as shown on Exhibit A-7-02.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Zoning Committee and approve the petition.

BE IT FURTHER RESOLVED that the County Clerk notify the town clerk of the action.

Dated this 18<sup>th</sup> day of July, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Coletta, second Eckman, to adopt. Motion carried.

## **RESOLUTIONS**

**RESOLUTION #72-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales

WHEREAS, Douglas County has advertised for sale various parcels of land on June 7, 14, and 21, 2002, in accordance with Section 75.69 of the Wisconsin Statutes and the highest bids received are as follows:

\$ 5,170.00 Parcel 36-02: Northeast1/4 of the Northeast1/4, lying south of former Northern Pacific Railway, presently known as Tri-County Corridor, described in Volume 192 Deeds, Page 191, Section 1-47-12, Village of Poplar, from Brian Johnson. Intended Use: Propane storage.

\$ 8,055.00 Parcel 48-02: Lots 1 through 18 Inclusive and Lots 21 through 32 Inclusive, Block 2 and Blocks 3, 10 through 15 Inclusive, 20 through 24 Inclusive, and 27, Irondale Addition to Superior, Town of Superior, from Rosemarie Lancour. Intended Use: Building site.

NOW, THEREFORE, BE IT RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute a quit claim deed to the above named persons on the above named properties.

Dated this 18<sup>th</sup> day of July, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase Profit and Loss on Land Sales Account" by \$13,225.00)

**ACTION:** Motion by Conley, second Glenn, to adopt. Discussion regarding whether access has been obtained to Parcel 36-02. County Clerk Sandvick indicated the purchase was contingent on purchaser obtaining access and the committee had specified a date. Nothing has been heard back from the purchaser, and Sandvick questioned whether the resolution should be referred. Conley stated his belief that the county put up the sale in good faith, the bid was made, and the Board should go with purchase. If bidder has an issue, it can be addressed in committee. Motion carried.

**RESOLUTION #73-02**  
**RESOLUTION BY LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sale - Special

WHEREAS, parcel #52-02 was advertised on June 7, 14, and 21, 2002, and the high bid received was from Lawrence Boutin in the amount of \$3,000.00, and

WHEREAS, Lawrence Boutin has withdrawn his bid on the parcel and the next highest bid was from Ken Cook in the amount of \$1,900.00.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of Supervisor Allen and accept the following bid on the following parcel:

\$1,900.00 Parcel #52-02: Fractional Lot 6 and all of Lots 7 and 8, Block 88, Hammond Addition to West Superior, known as 1010-12 Winter Street, City of Superior, from Ken Cook.  
Intended Use: Building site.

BE IT FURTHER RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, that the County Clerk be, and she hereby is, authorized to execute a quit claim deed to the above named person on the above named property.

Dated this 18<sup>th</sup> day of July, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$1,900.00)

**ACTION:** Motion by Glenn, second Allen, to adopt. Motion by Cosgrove, second Glenn, to amend the resolution to show sponsorship by the Land and Development Committee. Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #74-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sale - Special

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve sale of the following described property, which was previously advertised and did not sell:

\$ 6,495.00 Parcel 85-02: Part of the Southwest 1/4 of the Southwest 1/4, Section 27-48-14, Town of Superior, from David E. Taplin. Intended Use: Building site.

BE IT FURTHER RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute a quit claim deed to the above named persons on the above named properties.

Dated this 18<sup>th</sup> day of July, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$6,495.00)

ACTION: Motion by Glenn, second Hooper, to adopt. Motion carried.

**RESOLUTION #75-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Sale of Property to the City of Superior

RESOLVED that the Douglas County Board of Supervisors accept the recommendation from the Land and Development Committee and sell the following described property to the City of Superior for the amount of \$ 4,800.00:

Lots 149 & 151, West 7<sup>th</sup> Street, Townsite of Superior;

Lots 513, 515, 517 and 519, Ely's Addition, 9<sup>th</sup> Street;

Lots 508, 510, and 512, Excluding right-of-way, Ely's Addition, 9<sup>th</sup> Street;

Lots 17 and 18, Block 22, South Superior, Labelle Division;

Lots 171 and 173, Block 17, Rearrangement of Trans-Nemadji Block, East 5<sup>th</sup> Street; and

Lots 242, 244 and 246, S/D of Block 28, Lots on 6<sup>th</sup> Street, Townsite of Superior,

all in the City of Superior.

BE IT FURTHER RESOLVED that the above properties are being sold to the City of Superior for subsequent transfer to the Superior Housing Development Corporation for the purposes of developing housing for low to moderate income families.

Dated this 18<sup>th</sup> day of July, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales" account by \$4,800.00)

ACTION: Motion by Martin, second Cosgrove, to adopt. Motion carried.

**RESOLUTION #76-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE AND**  
**ADMINISTRATION COMMITTEE**

Subject: Appropriation for Sesquicentennial

RESOLVED that the Douglas County Board of Supervisors accept the recommendation from the Land and Development Committee and the Administration Committee and approve appropriation of \$3,143.00 from the Land Improvement Account for Douglas County Sesquicentennial expenses.

Dated this 18<sup>th</sup> day of July, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Decrease "Land Improvement Account" by \$3,143.00)

ACTION: Motion by Glenn, second Martin, to adopt. Discussion followed. Roll call vote taken and passed with 23 Yes, 1 No, 4 Absent. Voting no was Willie. Absent were Ward, Browne, Wes Johnson, John O'Brien.

**RESOLUTION #77-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Tax Lister Position

WHEREAS, the Tax Lister position is currently under the jurisdiction of the Land Records Department/Zoning Department, and was previously under the jurisdiction of the County Clerk, and

WHEREAS, the position works independently and receives no back-up support, and

WHEREAS, the Treasurer's Office staff is familiar with the duties and responsibilities of the Tax Lister and could provide assistance and back-up to the position, and

WHEREAS, because customers sometimes require information from both the Tax Lister and Treasurer's Office, locating the Tax Lister within the Treasurer's Office, will create efficiency and better service to the public, and

WHEREAS, the Tax Lister would also be able to assist the Treasurer's Office during busy tax collection times, and

WHEREAS, the current Tax Lister is retiring August, 30, 2002, and this would be an opportune time to implement this change.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and remove the position of Tax Lister from the Land Records Department/Zoning Department and place under the jurisdiction of the Treasurer's Office, effective September 1, 2002, with review by the Administration Committee in six months.

Dated this 18<sup>th</sup> day of July, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Coletta, second Ryan, to adopt. Motion carried.

**RESOLUTION #78-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Human Resource Department Interim Management

WHEREAS, the recent resignation of Douglas County's Human Resource Manager has resulted in the Administration Committee, in conjunction with recommendations from the Administrative Coordinator, examining all options for the continued operation of the Human Resource Department, and

WHEREAS, it has been determined that it is in the best interest of the county, at this time, to not replace the Human Resource Manager position and approve an interim plan, to be reviewed and evaluated after a trial period.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and approve the following interim plan, which will allow for the continuing performance of the duties of the Human Resource Manager position and functioning of the department:

- (1) Contract with the City of Superior for the purpose of providing human resources consultation services to the county (as more fully set out on Exhibit B-7-02); and
- (2) Assign Human Resource Manager duties to Dennis Arras, consisting of special projects, liaison, and coordination, at an interim salary adjustment of \$548.83 per month; **and increase in hours worked per week to 40**; and
- (3) Assign Interim Child Support Manager duties to Lisa Johnson, at an interim salary adjustment of \$150.00 per month.

BE IT FURTHER RESOLVED that the above interim appointments and salary adjustments are effective from July 1, 2002, and will be reviewed by the Administration Committee in November, 2002.

Dated this 18<sup>th</sup> day of July, 2002.  
(Committee Action: Unanimous)

(Fiscal Note: Estimated total cost based on six month period - ~~\$10,931.00~~ **\$11,035.00** (Contract with city - ~~\$6,738.00~~ **\$6,842.00**; Salary Adjustment for Dennis Arras - \$3,293.00; Salary Adjustment for Lisa Johnson - \$900.00), within Human Resource Department budget)

ACTION: Motion by Hooper, second Conley, to adopt. Amendments to Exhibit B-7-02 and the resolution were presented by the County Clerk. Motion by Hooper, second James O'Brien, to amend Exhibit B-7-02 and the resolution amending fiscal note total cost to \$11,035.00 and contract with city to \$6,842.00, and third paragraph of resolution adding to (2) "and increase in hours worked per week to 40". Motion carried. Hooper remarked that this is an example of cooperation that can work. This is contracted services, not merging of departments. Waterman applauded efforts of those who worked on this. Motion to adopt resolution, as amended, carried.

**RESOLUTION #79-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Administrative Coordinator Hired

WHEREAS, Resolution #157-01 approved the hiring of Steve Koszarek as Acting Administrative Coordinator for a six month trial period from January 1, 2002 to July 1, 2002, and

WHEREAS, the Administration Committee has reviewed his job performance during this trial period and determined the position would be offered to him on a permanent basis.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and approve the hire of Steve Koszarek, as full time Administrative Coordinator, as follows:

Position Title	Administrative Coordinator.
Status:	Full-time, exempt.
Start Date:	July 22, 2002
Compensation:	Salary: A starting monthly salary of <del>\$6,513.75</del> <b>\$6,713.75</b> ( <del>\$78,165</del> <b>\$80,565</b> annually). Classification D73, Step 8+.
Car Allowance:	\$200 per month.



Benefits:

No changes will occur in the county benefit package currently covering this employee, except as outlined above.

Dated this 18<sup>th</sup> day of July, 2002.

(Committee Action: Unanimous)

(Fiscal Note: \$262.00 additional benefits for remainder of 2002, within budget. \$524.00 additional benefits annually beginning 2003.)

ACTION: Motion by Quam, second Allen, to adopt. An error was made in the salary and needs to be amended. Motion by Coletta, second Willie, to amend resolution correcting salary to \$6,713.75 monthly, and \$80,565 annually. Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #80-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Copy Machine Purchase for Central Supply

WHEREAS, the large volume copier in the Central Supply area of the County Clerk's Office is currently seven years old and was scheduled for replacement in 2003, and

WHEREAS, in anticipation of replacement, the County Clerk requested proposals from two local companies that could supply a copier with the features necessary to the operation, and

WHEREAS, after review of the proposals it became evident that replacement of the machine at this time could result in immediate savings of over \$800 per month.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and purchase a Xerox DC490SLC digital copier/printer with scanning and network accounting, at a cost of \$40,470.00.

BE IT FURTHER RESOLVED that the funds for purchase of the equipment come from the Supply Room Retained Earnings Account.

Dated this 18<sup>th</sup> day of July, 2002.

(Committee Action: Unanimous)

(Fiscal Note: \$40,470.00, depreciated at \$5,800.00 per year)

ACTION: Motion by McKenzie, second Prettie, to adopt. Discussion on whether the cables will be available to hook-up computers to copiers, and the possibility of using recycled paper in light of future environmental issues. Sandvick will check on this. Motion carried.

**RESOLUTION #81-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Budgetary Transfer Policy

RESOLVED, that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and approve the revised Budgetary Transfer Policy (Exhibit C-7-02):

Dated this 18<sup>th</sup> day of July, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Hooper, second Glenn, to adopt. Motion carried.

**RESOLUTION #82-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Budgetary Transfers

RESOLVED, that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and approve the following transfers:

- (1) Sheriff - \$21,482.00 (J.E. #97806 - Transfer from capital to supplies and leases, item amounts were under \$2,000 and computers were lease);
- (2) Human Services - \$10,534.00 (J.E. #97805 - State contract change - decrease involving reallocation of IMD Beds; and
- (3) Human Services - \$13,428.00 (J.E. #97804 - State contract change - increase in WAA contract.

Dated this 18<sup>th</sup> day of July, 2002

(Committee Action: Unanimous)

(Fiscal Note: None)

(Administrative Note: Two-thirds vote of Board-elect required)

ACTION: Motion by Coletta, second Cosgrove, to adopt. Roll call vote taken and passed with 24 Yes, 0 No, 4 Absent. Absent were Wes Johnson, Browne, Ward, John O'Brien.

**RESOLUTION #83-02**  
**RESOLUTION BY DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: Free Public Library Services

WHEREAS, the State of Wisconsin adopted a statute to provide public library services free to inhabitants of those communities that establish and maintain them; and

WHEREAS, free access to information in all formats, is as important in today's information society as it was 130 years ago when this law was adopted; and

WHEREAS, ~~the Assembly Republican Caucus introduced a measure~~ **a measure was introduced** to repeal all or part of the free public library statute as part of the State Budget Repair Bill which would permit charging for library and information services for the first time since 1872; and

WHEREAS, undermining a fundamental Wisconsin value of free access to education and information which is a necessity for citizens in a democratic society; and

WHEREAS, this measure, if it became law, would begin disenfranchising those in our society least able to pay for these essential information services; and

WHEREAS, the mandate relief mentioned by the Wisconsin Counties Association from the 70% minimum payment for access to municipal libraries by municipalities without a library, has no impact in Douglas County which has developed a fair share funding partnership between towns, the County, the public library system and municipal libraries that greatly exceeds the mandated minimums; and

WHEREAS, there are many practical difficulties that would result from beginning any level of fees for library services that would undermine the high levels of exemplary cooperation and resource sharing that exists between public libraries.

NOW, THEREFORE BE IT RESOLVED that the Douglas County Board of Supervisors expresses opposition to any attempt to change the 1872 free library statute principles for free access to public library and information services.

BE IT FURTHER RESOLVED by the Douglas County Board of Supervisors that the Wisconsin State Legislature resist attempts to reduce funding for public library system services any further than already proposed in order to preserve and further promote the development of cooperative services between public libraries in Wisconsin.

BE IT FURTHER RESOLVED by the Douglas County Board of Supervisors that it hereby authorizes and directs the Douglas County Clerk to transmit a copy of this resolution to all state legislators representing constituents within Douglas County, to the Wisconsin Counties Association, to all Wisconsin counties, to the majority and minority leaders of the Senate and Assembly, and to the office of Governor Scott McCallum.

Dated this 18<sup>th</sup> day of July, 2002.

(Fiscal Note: None)

ACTION: Motion by C. Johnson, second Martin, to adopt. This applies only to services to Wisconsin residents, not out-of-state library patrons. Motion by McKenzie, second Conley, to amend resolution and have it sponsored by entire County Board. Motion carried. Motion by Hooper, second McKenzie, to remove “the Assembly Republican Caucus introduced a measure” from third WHEREAS, and replace it with “a measure was introduced”. Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #84-02**  
**RESOLUTION BY DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: Wisconsin Land Information Program

WHEREAS, 1989 Wisconsin Act 31 established the Wisconsin Land Information Program and authorized County Land Information Offices and financial aids to counties for land record modernization projects, and

WHEREAS, 1989 Wisconsin Act 339 established local and state funding for the Wisconsin Land Information Program by increasing recording fees for real estate documents on July 1, 1991, and allowing counties with established Land Information Offices to retain a portion of the recording fees for developing, implementing and maintaining a countywide plan for land records modernization, and

WHEREAS, Douglas County has established a Land Information Office, has applied for state grants from the Wisconsin Land Information Board and since 1996 to present, has retained recording fee revenue of \$267,370.00, and

WHEREAS, Douglas County has utilized this revenue for parcel mapping projects, purchase of computer equipment, aerial photography and general financial support for the Land Information Office (Land Records Office), and

WHEREAS, Douglas County is anticipating using the retained recording fee revenue to fund a full-time surveyor position, and

WHEREAS, the Wisconsin Land Information Program is scheduled to sunset on September 1, 2003, thereby eliminating all grants and retention of recording fee revenue by counties.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Land Records Committee and request the State Legislature extend sunset of the Wisconsin Land Information Program to September 1, 2010.

BE IT FURTHER RESOLVED that upon passage of this resolution, copies be sent to Governor McCallum, all State Senators and Representatives, and all Wisconsin Counties.

Dated this 18<sup>th</sup> day of July, 2002.

(Fiscal Note: None)

ACTION: Motion by Glenn, second Robinson, to adopt. Committee action on this resolution was unanimous. Motion by Cosgrove, second Hooper, to amend resolution and have it sponsored by entire County Board. Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #85-02**  
**RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: Wisconsin Public Service Commission Hearings

WHEREAS, on May 14, 2002, Superior Water Light and Power Company (SWL&P) filed an application with the Public Service Commission of Wisconsin for authority to increase gas and water rates; and

WHEREAS, SWL&P is requesting an overall rate increase of 4.5% consisting of no change in electric rates, a 6.8% increase in gas rates, and a 19.20% increase in water rates; and

WHEREAS, the actual amount of any increase in rates by rate class will be determined by the Public Service Commission of Wisconsin, based on a review of SWL&P's application and after public hearings; and

WHEREAS, the purpose of the public hearings is to allow members of the public to express their views on the proposed rate increase; and

WHEREAS, utility rates affect virtually every household in the City of Superior, Wisconsin.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors urges the Public Service Commission of Wisconsin to hold a public hearing in Superior, Wisconsin, to take testimony relating to SWL&P's proposed increase in gas and water rates.

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Governor McCallum, Senator Jauch, Representative Boyle, the Public Service Commission, the League of Wisconsin Municipalities, the Wisconsin Alliance of Cities, and consumer groups concerned with the utility industry.

Dated this 18<sup>th</sup> day of July, 2002.

(Fiscal Note: None)

ACTION: Motion by Coletta, second Allen, to adopt. Motion by Quam, second Allen, to amend resolution and have it sponsored by entire County Board. Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #86-02**  
**RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: Consolidation of County and City Services

WHEREAS, there has been a long-standing effort on the part of Douglas County and the City of Superior to work cooperatively to deliver services to taxpayers which has resulted in consolidated efforts for county/city offices: data processing; economic development; emergency communications; emergency management; emergency medical services; tax collection; hazardous materials response; GIS information system; health departments; housing, weatherization and utility assistance; law enforcement services, including animal control, fingerprinting, property evidence and jail services; library services; public museums; recycling; telephone services; and

WHEREAS, Douglas County and the City of Superior have jointly sponsored a City/County Committee to collect information about further consolidation of services between the County and City for the purpose of improving services and ~~reducing costs~~ **providing more efficient, cost-effective services** for taxpayers; and

WHEREAS, these efforts and the efforts of staff and the community resulted in a proposal presented to the State of Wisconsin during Superior Days seeking assistance on consolidating services; and

WHEREAS, Douglas County and the City of Superior continue to work on appropriate methods of consolidating and improving services, reducing duplication of services and ~~reducing costs~~ **providing more efficient, cost-effective services** to taxpayers.

NOW, THEREFORE BE IT RESOLVED that Douglas County and the City of Superior are committed to, where practical within County and City services, work to centralize functions between the two agencies, eliminating duplication of services and administrative overhead for ~~cost savings~~ **providing more efficient, cost-effective services** to the taxpayers.

BE IT FURTHER RESOLVED for the City, that members of the Human Resources Committee, and appointees to the City/County Committee will represent the City of Superior in the determination of appropriate consolidations with the County.

BE IT FURTHER RESOLVED for the County, that members of the Administration Committee, and appointees to the City/County Committee will represent Douglas County in the determination of appropriate consolidations with the City.

BE IT FURTHER RESOLVED that information from the City/County Committee will be forwarded to the appropriate committees for review and approval, and as appropriate, refer to the Common Council or County Board for final adoption.

BE IT FURTHER RESOLVED that City staff on City/County Committee will include the Human Resources Director and Public Works Director; and, County staff on the City/County Committee will include the Administrative Coordinator and Forestry Director.

BE IT FURTHER RESOLVED that any consolidated services causing reduction of positions will be done through attrition of vacant positions, or any restructuring of services impacting classifications of employees will be done through the grandfathering of employees and where applicable, accomplished through discussions with impacted bargaining unit representatives.

BE IT FURTHER RESOLVED that Douglas County and the City of Superior are committed to seeking legislative solutions to a metropolitan government for city and county services.

BE IT FURTHER RESOLVED that in the interim to legislative solutions for metropolitan government, Douglas County and the City of Superior are committed to use the intergovernmental services agreement provided in state law for accomplishing consolidated services, and are committed to taking the lead to provide service wherever practical.

**BE IT FURTHER RESOLVED that the County Clerk is hereby directed to send a copy of this resolution to Governor Scott McCallum and full legislature.**

BE IT FURTHER RESOLVED that this resolution shall take effect upon adoption.

Dated this 18<sup>th</sup> day of July, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

**ACTION:** Motion by Hooper, second Ryan, to adopt. Motion by Allen, second Pleski, to amend resolution and have it sponsored by entire County Board. Motion carried. Motion by Hooper, second Zukowski, to amend resolution to have it sent to Governor and full legislature. Motion carried. Motion by Allen, second Quam, to remove “reducing costs” and “cost savings” throughout the resolution, and insert “providing more efficient, cost-effective services” Motion carried. Motion to adopt resolution, as amended, carried.

### **ADMINISTRATIVE COORDINATOR REPORT**

Koszarek summarized department head retreat which included work on the county’s mission statement and cost-savings measures. Consolidation of services was part of the discussions. Several Board members who attended the retreat, remarked about the obvious dedication and commitment from department heads toward improving county government, and looking at ways to help.

### **COUNTY BOARD CHAIR REPORT AND APPOINTMENTS**

**Wisconsin County Sheriff’s Association Meeting:** Chairman Finn attended the meeting and had an opportunity to talk with Secretary of Corrections about housing state prisoners. There may be some good opportunities down the road to house state prisoners in the new jail. McCoshen is aware of discussions with the Secretary and will keep working on this. Finn had the opportunity to talk with the Governor and others on merging or consolidation of services between cities and counties.

**WCA Convention:** Registration information available from County Clerk. Register soon.

**Affordable Housing Grant:** Sheldon Johnson contacted Finn regarding affordable housing grants. The county needs to move very soon if looking to receive any of the dollars available for grants. A subcommittee may be needed, and Rural Housing should be involved. Motion by Willie, second Martin, to refer affordable housing grant application to Executive Committee. Motion carried.

**Committee Appointments:** Chairman Finn recommended Administrative Coordinator Koszarek and Forestry Department Director Moore, be appointed to the City - County Committee. Motion by Hooper, second Cosgrove, to approve. Motion carried.

### **COMMITTEE REPORTS**

Quam reported annual employee summer social will be held at Human Services location in August.

Zukowski reported Buildings and Grounds Committee met today and will be meeting again next week. He encouraged all to work together as the project is nearing completion. It is on schedule. Two site work bids received and are within expectations. One bid received for furnishing blacktop.



Coletta reported no Board of Health meeting this month, but a joint meeting with Human Services Board has been scheduled for July 25<sup>th</sup>. There is concern about reductions in Medicare payments for home health care, which may require a special Board of Health meeting to deal with this issue. Consultant McCoshen is working on this through Washington, D.C., Secretary Thompson's office.

Conley reported the Human Services Board will meet one week from tonight, at 4:00 p.m., in the courthouse instead of Lakehead building, followed by a joint meeting with the Board of Health. Pat Heiser and Pat Schanen will present results of their study on merging of the departments. Information packet will be distributed on the joint meeting at 5:00 p.m.

Glenn reported Law Enforcement Committee meeting which had been changed to July 31, is now back to 24<sup>th</sup>.

Ryan reported Land Records Committee will have a special meeting August 19, to go over some mapping that should have been done a while ago. She reminded Board that the fair begins July 23<sup>rd</sup>.

C. Johnson reported for Zoning Committee that a shoreland ordinance informational packet is going out to board members for input. Land Use Plan letter sent to all towns, villages, asking for review and input. Committee working with some decisions that need to be made regarding systems with city hookups. Complaints issue and signs issue will be on agenda.

McKenzie reported PRI RU TA has reviewed candidates for conservationist position and a recommendation has been sent forward. August 22<sup>nd</sup> three region RC&D meeting in Grantsburg on resource conservation and development issues. Submit any ideas to McKenzie. She also serves on Great Lakes Nonpoint Pollution Executive Board for Lakes Superior and Michigan, which consists of 32 counties working on nonpoint pollution issues.

Martin reported Aging Resource Center meals for seniors program continues to increase. Also, the Bong Heritage Center Festival set for Saturday, September 21, through Tuesday, September 24.

POWTS (Comm 83) advisory group held it's first organizational meeting, and will be meeting the first or second Tuesday of each month at 6:00 p.m. Agendas will be sent out.

#### **APPROVAL OF BILLS AND CLAIMS**

Motion C. Johnson, second Shepard, to approve. Motion carried.

#### **SUCH OTHER MATTERS AS AUTHORIZED UNDER THE WISCONSIN STATUTES:**

Special County Board Meeting: Motion by Zukowski, second Quam, to authorize County Board Chair to call a special County Board meeting to discuss construction issues as necessary and approve bids. Motion carried.

**ADJOURNMENT** - Motion by Glenn, second Eckman, to adjourn. Motion carried. Adjourned 7:30 p.m. Next regularly scheduled meeting - August 15, 2002.

Submitted by,

Susan T. Sandvick  
Douglas County Clerk

**PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS**  
**Thursday, August 15, 2002, 6:00 p.m., City-County Complex Chambers**  
**1409 Hammond Avenue, Superior, Wisconsin**

Meeting called to order by Chairman Douglas Finn.

Pledge of Allegiance recited.

Roll call taken by County Clerk Susan T. Sandvick. There were 24 present and 4 absent. Absent and excused were John Shepard, Sr., Therese Hooper, Wes Johnson. Absent was Lou Willie.

Motion by Prettie, second Martin, to approve minutes of the July 18, 2002 meeting. Motion carried.

**CORRESPONDENCE**

1. The Peltz Group, Inc., regarding recycling programs and services. Referred to Recycling/Solid Waste Advisory Committee.
2. Northern Waters Library Service, 2003 appropriation request for Douglas County. Referred to Administration Committee.
3. Wisconsin DNR, 2002 fiscal year acreage report. Referred to Forest, Parks and Recreation Committee.
4. Wisconsin Division of Hearings and Appeals, notice of prehearing conference, and notice rescheduling prehearing conference on Midwest Energy Resources Company air pollution control construction permit, August 28, 2002. Referred to Corporation Counsel.
5. Loren Sloan, Wascott Town Board Chair, regarding zoning issues, and commending Douglas County's zoning administrators and staff for their work. Referred to Zoning Committee.
6. UW-Superior, thank you to Douglas County for contribution to Leadership Superior/Douglas County. Received and placed on file.
7. Wisconsin Department of Health and Family Services, deposit and distribution notice of federal and state aids for Douglas County. Received and placed on file.
8. Dennis D. Lathrop, regarding compliance with Douglas County's ordinance on county sales/use tax and Wisconsin Statute 77.70. Referred to Corporation Counsel and Administration Committee.

9. Wisconsin Counties Utility Tax Association, regarding Governor's unintentional veto of shared utility tax payment due to error in drafting of the bill. Referred to Judiciary, Legislative and Veterans Committee.
10. Wisconsin Public Service Commission, notice of August 21, 30, and September 4, 2002 proceeding, investigation and videoconferencing hearing on application by Rainy River Energy Corporation, to construct large electric power generating facility and high-voltage electric transmission line, and natural gas pipeline interconnection facilities in Superior. Referred to Corporation Counsel.
11. Wisconsin DNR, notice of revocation of air pollution operation permit for Georgia Pacific Corporation. Referred to Environment, Agriculture and Extension Committee.
12. Resolution from La Crosse County encouraging state legislature to allow additional court costs for establishing court security funds statewide. Received and placed on file.
13. John Shepard, WCA First Vice-President, requesting nominations of county supervisors and other county officials to serve on WCA's seven steering committees. Referred to County Board Chair.
14. David Dumke, WCA Field Services Representative, 2003 budget allocations in northwest ITBEC counties, and list of last year's projects. Referred to Administration Committee.
15. Wisconsin DNR, notice of air pollution control permit preliminary analysis to renew permit for existing air pollution source at Gordon Diesel Plant (Dahlberg Light & Power Company). Received and placed on file.
16. Wisconsin Department of Veterans Affairs, notice of 2002 grant approval for Douglas County Veterans Service Office. Referred to Judiciary, Legislative and Veterans Committee.
17. Resolution from Outagamie County urging state legislation to require state employees contribute to their health care coverage premiums, and requesting the State of Wisconsin investigate rising health care costs. Referred to Administration Committee.
18. Resolution from Outagamie County encouraging state legislation which would lower blood alcohol level for driving under the influence from the current level of .10 to .08 in accordance with U.S. Department of Transportation's 2001 Appropriation Act. Referred to Law Enforcement Committee and Highway Committee.
19. Northwest Regional Planning Commission, notice of approval of proposed levy for Douglas County 2003 budget. Referred to Administration Committee.

20. Dianne Caffrey, recommending salary increase for County Surveyor Ken Olson. Referred to Zoning Committee and Administration Committee.
21. Mayor Larry MacDonald, City of Bayfield, thank you for supporting Premier Resort Area issue during Superior Days, which has become a reality with passage of the State Repair bill. Received and placed on file.
22. Resolution from Wood County regarding legislator's election of leadership within their respective houses. Referred to Judiciary, Legislative and Veterans Committee.
23. Wisconsin DNR, Brule River State Forest Draft Master Plan and Environmental Impact Statement. Referred to Forest, Parks and Recreation Committee, and Land and Development Committee. Copy is on file in County Clerk's Office for review.

Correspondence not on agenda:

24. Wisconsin Department of Administration, preliminary estimate of January 1, 2002 Douglas County population data. Received and placed on file.
25. Wisconsin Division of Hearings and Appeals, hearing dismissal order for Alliance Construction, Inc., permit application to grade banks and construct detention pond adjacent to St. Louis River. Referred to Environment, Agriculture and Extension Committee.

### **PUBLIC HEARING**

Sheldon Johnson, Northwest Regional Planning Commission (NWRPC), presented introductory information on the Wisconsin Community Development Block Grant housing program for small cities, detailing the application process. Douglas County has not applied for this grant in the past. The fund has upwards of \$750,000 available, with applications due September 16<sup>th</sup>. Successful applicants are notified in February or March. Johnson indicated that the public hearing portion of the application process is required to allow for public input to be used as documentation of local support. Total awards available to Wisconsin total about \$34 million.

Seven targeted areas were surveyed which is required with the application process: Dairyland, Maple, Gordon, Lakeside, Hawthorne, Villages of Solon Springs and Oliver. 1500 surveys sent, with response rates ranging from a high of 60% from Gordon, to a low of 40% from Hawthorne. Several housing rehabilitation needs were identified through the survey, including roofs, siding, septic systems, wells, windows, and foundations. This information will help determine what communities will be targeted as part of the housing application. On the survey, if respondents listed three of the seven home improvements needed, the housing is rated as a substandard unit. Dairyland had 45% of their units identified as substandard.

Johnson listed several community development needs identified during this process, which are included in the NWRPC 2002 Annual Comprehensive Economic Development Strategy for the ten county area. Several potential projects for Douglas County are identified in that document, including South Superior storm sewer, Meteor restoration, and Lake Nebagamon park improvement. He asked County Board members to submit information on any substandard homes in their regions or community development needs which will assist in the data collection for the application.

Call for public comments: No member of the public present responded to Chairman Finn's invitation for persons wishing to speak against or in favor of Douglas County's grant application.

Responding to supervisor's questions, Johnson indicated funds are specifically for the municipalities outside the City of Superior, and targeted for low to moderate income families as a loan, with zero percent interest deferred payment until such time as the individual no longer resides at or owns the home. Supporting the grant application, Conley asked if this fund is ongoing. Johnson stated that once a county is awarded a grant, they can apply as many times as there is need justified, within 6 to 18 months of closeout of the original grant. Grant dollars remain in the county and become a revolving loan fund designated for housing rehabilitation. Loan recipients have loan payback options - a regular mortgage payment, various payment schedules, or pay it up in full at any time. Even though seven communities were targeted with the survey, this does not mean that all of the housing program funds are targeted only for those communities. Everybody in Douglas County, except City of Superior residents, are eligible for the program funds.

The Douglas County CDBG application includes two proposed projects: 1) Owner occupied rehabilitation for permanent, year-round residences; and 2) a home buyer program for renters that would provide 100% of closing costs and 10% down on the loan (does not need to be the first home purchased, but applicants must currently be renting). A renter in the City of Superior who wants to purchase a home in the county would be eligible. Housing rehabilitation loans require removal of any toxic substances, such as lead abatement, as part of the project. Cost for displacement of residents during that process can be included.

Johnson left copies of an overview of the grant, and a preview of the ad that will go into the newspapers should the county decide tonight to apply.

Chairman Finn called for public input from the audience one last time. Receiving no responses, the Chairman closed the public hearing at 6:23 p.m.

## **PRESENTATIONS**

Tad Matheson, Assistant Fire Chief, City of Superior, announced that the Fire and Police Hall of Fame induction will be held September 13<sup>th</sup> in Superior, honoring fallen firefighters and police officers. This year's Hall of Fame inductees will include seven individuals from around Wisconsin, and honorary induction of the New York City firefighters, police officers, and port authority officers who perished in 9-11 attack on World Trade Center. Events include golf tournament and open house at the Fire House Museum.

Also looking at some type of ceremony at the Courthouse. Matheson encouraged County Board members to participate in any of the events. Rick Klugow who was at ground zero will present a program at the banquet. County and city will be discussing perhaps a joint ceremony to recognize September 11<sup>th</sup>.

James Litwin, Construction Manager, will present Metro Center progress report later in the agenda.

Janet Jennings, Director, Superior Public Library, and Joan Airoidi, Northern Waters Library Service, summarized library services provided throughout Douglas County, and presented the 2002-2003 Douglas County Library Service Plan. Reviewing the increase in library usage from 1997 to 2002, Jennings highlighted the significant increase in patronage at the Solon Springs branch. A state grant was received for T-1 computer line at that branch. One to two Gates computers will be available in both Superior and Solon Springs for customer use only. Beginning in January 2003, an annual \$20 fee will be charged to out-of-state residents, other than Cloquet who signed reciprocal agreement not to charge our residents. Cosgrove indicated Solon Springs very happy with the library, but they are looking for a time when the library can be open two days a week instead of one. This will depend on checkouts and usage which decide the county's share for library support. Library Plan for 2003 had been distributed to supervisors and needs to be approved by the board. Discussion followed on the various data the library collects, and the impact the internet has had in this respect. Airoidi, director of Northern Waters Library Service, summarized the great relationship with the Superior Public Library system, and support it has given to Northern Waters. She elaborated on the delivery service Northern Waters provides, as well as maintenance of the Merlin system. Last year 67% of all requests for materials were done in-house. This past year marked the first time circulation hit one million in Northern Waters eight counties. She noted their 2003 budget will remain the same as 2002 by tightening the belt and streamlining services. Airoidi thanked the Board for their support over the years, and announced she will be moving on to a new job.

## **ORDINANCES**

### **ORDINANCE #3.10**

#### **EQUAL RIGHTS OF ALL PERSONS TO FAIR HOUSING PRESENTED BY THE EXECUTIVE COMMITTEE**

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF DOUGLAS DOES ORDAIN  
AS FOLLOWS:

#### **SECTION I. PURPOSE**

The Douglas County Board of Supervisors recognizes its responsibilities under Section 106.50, Wisconsin Statutes, as amended, and endorses the concepts of fair and open housing for all persons and prohibition of discrimination therein, and hereby adopts Section 106.50, Wisconsin Statutes, as amended, and all subsequent amendments thereto.

SECTION II. AUTHORITY AND ENFORCEMENT

The officials and employees of Douglas County shall assist in the orderly prevention and removal of all discrimination in housing within Douglas County by implementing the authority and enforcement procedures set forth in Section 106.50, Wisconsin Statutes, as amended.

SECTION III. PROCEDURE

The County Clerk shall maintain forms for complaints to be filed under Section 106.50, Wisconsin Statutes, as amended, and shall assist any person alleging a violation thereof in Douglas County to file a complaint thereunder with the Wisconsin Department of Work Force Development, Equal Rights Division, for enforcement of Section 106.50, Wisconsin Statutes, as amended.

SECTION IV. EFFECTIVE DATE

This ordinance shall take effect immediately upon passage and publication as required by law.

Dated this 15<sup>th</sup> day of August, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Conley, second Glenn, to adopt. Motion carried.

**RESOLUTION #87-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales

WHEREAS, Douglas County has advertised for sale various parcels of land on July 5, 12, and 19, 2002, in accordance with Section 75.69, Wisconsin Statutes, and the highest bids received are as follows:

\$11,100.00 Parcel 53-02: South ½ of North ½ of Northwest 1/4 of Southwest 1/4, Section 14-46-13, Town of Oakland, from Quinton Ross. Intended use: Owns adjacent property.

\$ 3,510.00 Parcel 54-02: Part of Government Lot 1, known as Tract 3, Section 36-49-15, Town of Superior, from Robert Cragin. Intended use: Recreation.

\$ 1,050.00 Parcel 55-02: Lots 15 and 16, Block 7, Butler Park, known as 5316-18 Albany Avenue, City of Superior, from Robert Johnson. Intended use: Owns adjacent property.



\$ 2,100.00 Parcel 56-02: Lots 7 through 13, Inclusive, Block 28, Oliver Central Division, Village of Oliver, from James Runions. Intended use: Owns adjacent property/build storage units.

\$ 3,001.00 Parcel 57-02: Block 21, East 10<sup>th</sup> Street and Block 24, East 11<sup>th</sup> Street, 38<sup>th</sup> Avenue East Vacated, Townsite of Superior, City of Superior, known as 3801-11 East 11<sup>th</sup> Street and 1002-20 - 38<sup>th</sup> Avenue East, from James Sislo. Intended use: Owns adjacent property.

\$ 1,200.00 Parcel 58-02: Lots 325 and 327, Burhan's Subdivision of Blocks 21 and 22, West 13<sup>th</sup> Street, Lots on West 13<sup>th</sup> Street, City of Superior, known as 2025-27 East 13<sup>th</sup> Street, from James Barnard. Intended use: Owns adjacent property.

\$ 1,501.00 Parcel 61-02: Lots 13, 15 and 16, Block 429, West Superior, 18<sup>th</sup> Division, City of Superior, known as 1302-04 and 1308 Pine Avenue, from Walter Ojala. Intended use: Building site.

\$ 3,005.00 Parcel 62-02: Lots 119 through 127, Odd Numbers Inclusive, except railroad right-of-way, West 9<sup>th</sup> Street, Townsite of Superior, City of Superior, known as 2701-09 East 9<sup>th</sup> Street, from Tara Benson. Intended use: Building site.

NOW, THEREFORE, BE IT RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute a quit claim deed to the above named persons on the above named properties.

Dated this 15<sup>th</sup> day of August, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase Profit and Loss on "Land Sales Account" by \$26,467.00)

ACTION: Motion by Allen, second Cosgrove, to adopt. Motion carried.

**RESOLUTION #88-02**  
**RESOLUTION BY THE EXECUTIVE COMMITTEE**

Subject: Community Development Block Grant for Small Cities Housing Program

WHEREAS, federal monies are available under the Wisconsin Community Development Block Grant housing program, administered by the State of Wisconsin, Department of Administration, Division of Housing, for the purpose of housing activities; and

WHEREAS, after public meeting and due consideration, the Douglas County Board of Supervisors has recommended that an application be submitted to the State of Wisconsin for the following projects:

- 1) Owner-Occupied Rehabilitation;

2) Home Buyer Program; and

WHEREAS, it is necessary for the County Board to approve the preparation and filing of an application for the County to receive funds from this program; and

WHEREAS, the County Board has reviewed the need for the proposed projects and the benefits to be gained therefrom.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors does approve and authorize the preparation and filing of an application for the above-named projects.

BE IT FURTHER RESOLVED, that the County Board Chair is hereby authorized to sign all necessary documents on behalf of the County.

BE IT FURTHER RESOLVED, that authority is hereby granted to Douglas County to take the necessary steps to prepare and file the appropriate application for funds under this program in accordance with this resolution.

Dated this 15<sup>th</sup> day of August, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

(Administrative Note: NWRPC grant preparation fee of \$5,500.00 is referred to Land and Development and Administration Committees, with recommendation for funding to be presented to Board in September.)

ACTION: Motion by Coletta, second C. Johnson, to adopt. Motion carried.

**RESOLUTION #89-02**  
**RESOLUTION BY THE EXECUTIVE COMMITTEE**

Subject: Citizen Participation Plan for Community Development Block Grant  
Small Cities Housing Program

WHEREAS, Douglas County has applied for a Community Development Block Grant; and

WHEREAS, the State of Wisconsin Department of Administration and the U.S. Department of Housing and Urban Development require recipients of Community Development Block Grant monies to have in place a Citizen Participation Plan; and

WHEREAS, the Citizen Participation Plan shall encourage citizen participation (especially by persons of low to moderate income), provide citizens reasonable and timely access to local meetings and

information, provide for technical assistance, provide for public hearings, provide for a complaint procedure and accommodate non-English speaking residents; and

WHEREAS, Douglas County has prepared and publicly reviewed a Citizen Participation Plan.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors officially adopts the Citizen Participation Plan. (Exhibit A-8-02)

Dated this 15<sup>th</sup> day of August, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Glenn, second Quam, to adopt. A committee will be appointed if grant awarded. Motion carried.

**RESOLUTION #90-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Transfer of Property to City of Superior

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and transfer ownership of the following described property to the City of Superior:

Lots 24 and 25, Block 99, West Superior, 1<sup>st</sup> Division, City of Superior.

BE IT FURTHER RESOLVED that this transfer is contingent on the City of Superior razing the house located on the property and future development of new housing on the property.

Dated this 15<sup>th</sup> day of August, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Martin, second Allen, to adopt. Motion carried.

**RESOLUTION #91-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Sale of Property to Village of Oliver

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and sell the following described property to the Village of Oliver for the amount of \$2,400.00:

- 1) Lots 12 and 14, Block 19, Oliver Bridge Division, Village of Oliver; and
- 2) Lots 27 through 32, Block 31, Riverside Division St. Louis, Village of Oliver.

BE IT FURTHER RESOLVED that the Village of Oliver agrees that any proceeds received from future sale of the property, above the amount of \$2,400.00, be split equally between the Village of Oliver and Douglas County.

Dated this 15<sup>th</sup> day of August, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase Profit and Loss on "Land Sales Account" by \$2,400.00, plus 50% of any future sale of the property above \$2,400)

ACTION: Motion by Ryan, second Glenn, to adopt. Motion carried.

**RESOLUTION #92-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sale to Brian Campshure Rescinded

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and rescind sale to Brian Campshure of the following described property:

Parcel #33-02: Lots 19 through 24, Inclusive, Block 12, and Lots 1 through 6, Inclusive, Block 52, East Superior 1<sup>st</sup> Division, Town of Parkland.

BE IT FURTHER RESOLVED that upon transfer of ownership of the property back to Douglas County the bid amount of \$2,500.00 be returned to Brian Campshure, less \$30.00 for recording and handling fee.

Dated this 15<sup>th</sup> day of August, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Decrease Profit and Loss on "Land Sales Account" by \$2,470.00)

ACTION: Motion by Glenn, second Browne, to adopt. Sandvick explained that the bidder had thought the land was buildable from information he received, but then was told it was wetlands and not buildable. Motion carried.

**RESOLUTION #93-02**  
**RESOLUTION BY SUPERVISOR ALLEN**

Subject: Land Sale to Brian Johnson Rescinded

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Land and Development Committee and rescind sale to Brian Johnson of the following described property:

Parcel #36-02: Northeast 1/4 of Northeast 1/4, lying south of former Northern Pacific Railway (presently known as Tri-County Corridor, described in Volume 192 Deeds Page 191), Section 1-47-12, Village of Poplar.

BE IT FURTHER RESOLVED that no further action is required in regard to recording of an instrument, as the deed to Brian Johnson was not recorded.

Dated this 15<sup>th</sup> day of August, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Allen, second Browne, to adopt. Sandvick explained the property is off Highway 2, and the Department of Transportation will not allow access. Motion carried.

**RESOLUTION #94-02**  
**RESOLUTION BY THE BUILDINGS AND GROUNDS COMMITTEE**

Subject: : Metro Center Contract Awards for Site Work and  
Furniture, Fixtures and Equipment Bid Package Number 2

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Buildings and Grounds Committee and approve the following contracts:

- 1) Site Work to Reuben Johnson and Sons in the amount of \$444,750.00; and
- 2) FF&E Bid Package Number 2 to Mid-America Business Systems in the amount of \$133,814.56; **and**

**3) Data cabling to Netversent not to exceed \$522,250.00; and**

**4) FF&E to Emmons Business Interiors not to exceed \$700,000.00.**

Dated this 15<sup>th</sup> day of August, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Within budget)

ACTION: Motion by Glenn, second John O'Brien, to adopt. Motion by Coletta, second James O'Brien, to amend resolution adding "(3) Data cabling to Netversent not to exceed \$522,250.00; and (4) FF&E to Emmons Business Interiors not to exceed \$700,000.00." Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #95-02  
RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Health Insurance Portability and Accountability Act (HIPAA) Compliance

WHEREAS, passage by the federal government of the Health Insurance Portability and Accountability Act (HIPAA) of 1996 mandates that covered entities, including Douglas County, meet the following requirements:

- 1) Use "standard" electronic data interchange transactions;
- 2) Assure privacy of protected health information;
- 3) Provide physical and electronic security of protected health information; and

WHEREAS, the following deadlines for compliance have been established:

October 15, 2002	Electronic Data Interchange Plan
April 14, 2003	Privacy Rule
April 16, 2003	Initiate Electronic Data Interchange Testing
October 16, 2003	Electronic Data Interchange Compliance
No scheduled date	Security Rule

WHEREAS, compliance factors have not been satisfactorily explained by any entity to county staff in the State of Wisconsin; and

WHEREAS, all Wisconsin counties must comply with this new federal requirement and will deal with it in a very similar fashion as all have employees, all have human services agencies, all use information

technology, some have and some do not have nursing homes, and some self-fund while others purchase health insurance coverage; and

WHEREAS, consultants are offering to provide services to individual counties for understanding and complying with HIPAA; and

WHEREAS, this situation appears to be one in which the Wisconsin Counties Association could provide a significant service to its member counties by providing leadership in the understanding and interpretation of the new regulations, through either having a staff member assigned to this task, or arranging for services from a consultant, with the cost thereof shared by counties utilizing the services; and

WHEREAS, several covered entities are submitting an extension application to negate the first compliance deadline of October, 2002.

NOW, THEREFORE, BE IT RESOLVED that the Wisconsin Counties Association and National Association of Counties are urged to take a leadership role by providing services or obtaining consultant services for its member counties to understand and comply with the requirements of HIPAA, with the costs thereof shared among participating counties.

BE IT FURTHER RESOLVED that the Douglas County Chair is authorized to sign necessary documents to obtain extension of the first deadline for HIPAA compliance of October, 2002.

BE IT FURTHER RESOLVED that a copy of this resolution be provided to Mr. Mark O'Connell, Executive Director, Wisconsin Counties Association; the National Association of Counties; and each county in the State of Wisconsin.

Dated this 15<sup>th</sup> day of August, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Glenn, second Conley, to adopt. Motion carried.

**RESOLUTION #96-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Metro Center Project Revised Budget

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve the revised Metro Center project budget and the construction management budget component as set-forth in Exhibit B-8-02.

BE IT FURTHER RESOLVED that this resolution caps the project cost at \$44,000,000 (forty-four million), which is the composite of previously approved funding and all accumulated interest, and is necessary for the timely completion of the project.

Dated this 15<sup>th</sup> day of August, 2002.

(Committee Action: Unanimous)

(Fiscal Note: \$44,000,000.00)

(Administrative Note: Two-thirds vote of Board-elect required.)

ACTION: Motion by Glenn, second John O'Brien, to adopt. Koszarek explained that the resolution today is to adopt the budget with line item figures. In establishing the line item figures, Koszarek stated he attempted to reconcile line item numbers used by the Construction Manager, Finance Director, and Buildings and Grounds Committee over the last year and one half. Regarding the tax levy for 2003, Koszarek stated the \$44,000,000 is bonded and that is what the levy is based on. Brief discussion followed on what happens if the City-County Complex is sold. Asked if there was ever a chance the \$1.2 million in interest could have been used to pay off part of the debt, Koszarek responded that this was absorbed by costs such as \$430,000 over-budget in Workers Compensation, the added \$200,000 in architectural fees, and about \$400,000 in site preparation. Allen asked if the Board was being asked to approve both versions of the budgets before them. Koszarek indicated the Construction Manager's budget is based on the construction method of tracking figures; however, the Administrative Coordinator will still be the one responsible for managing the project budget. Discussion followed on the various line items and where they each appear in the two budgets. Liebaert asked Koszarek if he was 100% confident that this will not pass \$44.0 million mark. Based on what is bonded, Koszarek responded in the affirmative. Litwin addressed the line item issues, noting the primary difference is that the Construction Manager's document reflects budget figures given to him over three years ago, and tracks everything, including change orders, that happened along the way. The two fit together, and the bottom lines are the same.

Litwin elaborated on his line item figures, and his voluntary reductions nearing \$300,000 in the value of the Construction Manager's contract. He stated his document tracks line items of the project in construction terms, not GAP rules, adding that it is also important to consider the Finance Director's figures, which are important down the line for accounting purposes. Koszarek indicated that he stated to Finance Director Kroll, that as long as it is understood the line items may vary but are reconciled within the other individual's line items, there will be no problem. Finance Director Kroll was not present to address any questions regarding the budget's line items as presented. Zukowski remarked that it's time to move forward and let the people the county hired to do the job continue to do their job. This is an extremely tight budget, and



the sooner the move is made into the new facility the better. Roll call vote taken and passed with 22 Yes, 1 No, 1 Abstention, 4 Absent. Voting no was Browne. Abstaining was McKenzie. Absent were Hooper, Shepard, W. Johnson, Willie.

**RESOLUTION #97-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Communications Center Relocation

WHEREAS, the Administration Committee reviewed and evaluated three options for relocation of the Communications Center to the Metro Center facility.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve the relocation plan for the Communications Center as set-forth in Exhibit C-8-02, providing the relocating and needed software and hardware upgrades to both the existing Centracom Gold Elite dispatch equipment and Centralink E-911 system.

**BE IT FURTHER RESOLVED that the Administrative Coordinator, Construction Manager, and Finance Director, be directed to review the project budgets for available dollars to upgrade Communications Center Relocation Plan to Option 2.**

Dated this 15<sup>th</sup> day of August, 2002.

(Committee Action: Unanimous)

(Fiscal Note: \$435,803.00)

(Administrative Note: Two-thirds vote of Board-elect required.)

ACTION: Motion by Glenn, second James O'Brien, to adopt. Prettie indicated she did not support Option 1 because Option 2 is more cost-effective in the long term. Option 1 does not include new 911 system that can trace calls during the transition. Kesler responded that given the window of ten years for no capital expenditures following this project, he predicts that the 911 system upgrade in that period will cost significantly more. Option 2 was \$622,000 with the contingency versus \$445,080. Extensive discussion followed concerning what would happen if 911 system back up was needed today. Board members compared variables, equipment and costs for each of three options. It was noted that life of the equipment, per industry standards, is 8 years. Ward expressed his opinion that this is a very important issue for 911, and going with cost alone for this decision is not a good decision for the system or the taxpayer, if the cost to upgrade or repair triples over the next few years. Browne stated that he believed a life saved is worth any amount. Noting that the FF&E costs exceed the Communications Center costs by \$300,000, K. Johnson remarked it is like putting furniture before the safety concerns of the people. Value engineering may be possible for the Comm. Center, and Kesler stated he would certainly be open

to this. Motion by Prettie, second Ward, to amend resolution and add “Be It Further Resolved that the Administrative Coordinator, Construction Manager, and Finance Director, be directed to review the project budgets for available dollars to upgrade Communications Center Relocation Plan to Option 2.” Motion carried. Roll call vote taken on motion to approve resolution, as amended, and passed with 24 Yes, 0 No, 4 Absent. Absent were W. Johnson, Willie, Hooper, Shepard.

### **ADMINISTRATIVE COORDINATOR REPORT**

Koszarek presented that the workforce had been reduced by 15 in 2001 and 8 in 2002, primarily through retirements and resignations, with no corresponding reduction in services. Some reductions resulted from closer departmental scrutiny of workloads and new position requests. Pleski asked for data on new positions which would provide a net reduction. Koszarek will compile that information and provide it to the Board.

To date, no claims paid for the Lakehead Constructors claim. The claim is for additional costs incurred due to delays, as work could not be completed as scheduled. Adolfson & Peterson attorney from Riggs and Morton is handling the case. It is currently in mediation and could go to arbitration. Mr. Sand, attorney for A&P, was present. The claim is about \$500,000, but Corporation Counsel Felker stated he does not believe that the County’s exposure is that great. He recommended it is in the county’s interest to have Mr. Sand represent the county on this claim.

Motion by C. Johnson, second Cosgrove, to authorize retaining outside legal counsel to represent the county in the Lakehead Constructors, Inc. claim. Felker indicated that if it goes to hearing stage, there is an hourly rate. Discussion on how Aegis may fit into all of this. The County does not have insurance to cover professional services. Motion carried.

### **COUNTY BOARD CHAIR REPORT AND APPOINTMENTS**

**Board of Adjustment:** Chairman Finn recommended Robert Brown, Town of Summit.

**154 Fund - Environment Infrastructure Advisory Committee:** Chairman Finn recommended an abbreviated membership, and asked supervisors for names of individuals to complete the membership list. Congressman Obey has funds available to Iron, Ashland, Bayfield and Douglas Counties to support sewer projects, water quality projects, and various environmental projects, including consultant fees. The committee will review projects and make recommendations. Individuals recommended by the Chair were Kathryn McKenzie, Steve Rannenber, Anthony Coletta, Dan Romans, Dennis Dalbec, Alex Grymala, Frank Giesen, and a representative of the Towns Association.

Motion by Quam, second Ryan, to approve appointments as presented. Motion carried.

Governor McCallum will be in Superior on Wednesday with representatives of some state departments. Time and place will be announced.

## **COMMITTEE REPORTS**

Quam reported Labor Management's employee picnic on Wednesday went well. Attendance down.

Zukowski reported Buildings and Grounds Committee is busy. Building project taking shape. Carpeting starts Monday. Building A should be ready between November and December. Building B between December and January.

Coletta reported Board of Health is working on financial problems with Home Health Care Program, resulting from reduced medicare payment levels. Meeting yesterday resulted in reducing staff hours drastically. It will not reduce client services, but may take a longer time in making the calls. If this is not done, Finance Department projecting \$150,000 deficit. Priority is to take care of the clients that need the services, and stay within the budget. Merger still under discussion.

Conley reported Human Services Board will meet with Board of Health next Tuesday in the courthouse, and has a budget meeting next Thursday at the Lakehead building. Budget appears a bit higher for 2003. Colonial closings impacted budget. Conley asked if committee budgetary goals are for departments to come in with 5% cut in proposed 2003 budgets, or remain at the 2002 budget levels. Koszarek indicated the departments have just begun looking at 2003 in terms of the 5% cut which was a goal. It is hoped that departments try to come in at 2002 level.

Browne reported Recreational Trail Committee is working on the idea of developing a designated ATV play area. This may be one resolution to on-going vandalism in some areas.

McKenzie reported Pri Ru Ta is working on by-laws and constitution. Chris Borden, previously a conservationist with NSCS in Albert Lea, Minnesota, is the new Pri Ru Ta Coordinator.

Ryan reported that Land Records Committee will be re-advertising for county surveyor.

Ward reported City-County Committee met for the first time in 14 months last week, and has agreed to meet on second Monday of each month. This may change to weekly with the building transition.

Pleski reported POWTS members are reviewing COMM 83 word by word. A one year moratorium was suggested at the end of the meeting, so this may come before the Board. Plans are to develop recommendations and review them with the public. May be next year before any recommendations ready, but with upcoming elections, it may be something to get on candidates' platforms.

C. Johnson reported the Zoning Committee will consider the proposed 2003 Zoning Department budget at a meeting September 9th. The committee is waiting for input and direction on the Shoreland Ordinance from supervisors, which had been requested by the committee.

**APPROVAL OF BILLS AND CLAIMS**

Motion by Coletta, second Cosgrove, to approve. Motion carried.

**ADJOURNMENT:** Motion by Allen, second Quam, to adjourn. Motion carried. Meeting adjourned 8:45 p.m. Next regularly scheduled meeting - Thursday, September 19, 2002

Submitted by,

Susan T. Sandvick  
Douglas County Clerk

**PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS**  
**Thursday, September 19, 2002, 6:00 p.m., City-County Complex Chambers**  
**1409 Hammond Avenue, Superior, Wisconsin**

Meeting called to order by Chairman Douglas Finn.

Pledge of Allegiance recited.

Roll call taken by County Clerk Susan T. Sandvick. There were 21 present, 7 absent and excused. Absent and excused were Michael Glenn, William Eckman, Bean Prettie, Terry Waterman, Wes Johnson, Keith Allen (arrived at 7:33 p.m.), Anthony Coletta.

Approval of minutes of the August 15, 2002 meeting. Referred to next meeting; Daily Telegram did not publish as scheduled, but will be in Friday, September 20<sup>th</sup> edition.

**CORRESPONDENCE**

1. Wisconsin Department of Health and Family Services, deposit and distribution notice of federal and state aids for Douglas County, June 2002. Received and placed on file.
2. Lisa Hardt, Governor McCallum's Policy Advisor, acknowledging receipt of Douglas County resolution supporting increase in recording fee for Register of Deeds offices. Received and placed on file.
3. Department of Natural Resources, preliminary determination on air pollution control permit application by Rainy River Energy Corporation. Received and placed on file.
4. Frank Giesen, resignation as member of Board of Adjustment effective October 1, 2002. Referred to County Board Chair.
5. Wisconsin Department of Administration, 2003-2004 Coastal Management Grant Program information and workshop schedule. Referred to Zoning Committee and Environment, Agriculture and Extension Committee.
6. Dennis D. Lathrop, letter to County Board Chair Douglas Finn, regarding sales and use tax. Referred to Administration Committee.
7. Wisconsin Department of Administration, 2002 state taxes and special charges apportionments. Received and placed on file.

8. Department of Natural Resources, preliminary analysis on air pollution control permit for Dahlberg Light & Power Company. Referred to Environment, Agriculture and Extension Committee.
9. Judge Joseph McDonald family, thank you for plant and expressions of sympathy. Received and placed on file.
10. Wisconsin Department of Transportation, changes in Local Roads Information Program (LRIP) contact information. Referred to Highway Committee.
11. Wisconsin Counties Association, resolutions to be presented at WCA business meeting on September 24, 2002. Referred to County Board Chair. Copy of resolutions available for review on file in the County Clerk's Office.
12. Governor McCallum, acknowledging receipt of Douglas County resolution on public libraries funding. Referred to Library Board Planning Committee.
13. Wisconsin Public Service Commission, notice of Friday, October 11, 2002 hearing regarding proposed revision of Wisconsin Administrative Code ch. PSC 114 as Wisconsin State Electrical Code, Volume 1. Referred to Corporation Counsel.
14. Wild Rivers Trail Commission, budget share request for 2003. Referred to Land and Development Committee.
15. Army Corps of Engineers, Notice to Navigation Interests of current indicator system on Duluth ship canal - Duluth-Superior harbor. Received and placed on file.
16. Donald R. Dahlberg, Graceland Cemetery Board of Trustees, request for reimbursement of last year's cemetery maintenance costs and additional contribution to Graceland Cemetery Association. Referred to Judiciary, Legislative and Veterans Committee and Administration Committee.
17. Department of Natural Resources, notice of intent to reissue Allouez site permit for taconite pollutant discharge elimination system, to Burlington Northern & Santa Fe Railroad. Received and placed on file.
18. Oneida and Vilas Counties, resolutions opposing DNR regulation of non-conforming properties, request to be party to any revisions to NR115, and opposition to descriptive adjective "non-conforming" for structures lawfully permitted when established. Referred to Zoning Committee.

19. Wisconsin Public Service Commission, notice of telephonic prehearing conference, October 18, 2002, regarding application by Superior Water, Light and Power Company to increase retail gas and water rates. Referred to Corporation Counsel.
20. Washburn and Adams Counties, resolutions regarding state funding for mental health inpatient hospitalization at state institutions. Received and placed on file.
21. Lisa Hardt, Governor's Policy Advisor, acknowledging receipt of Douglas County resolution opposing 2001 Senate Bill 232 and Assembly Bill 294. Received and placed on file.
22. Ozaukee County resolution urging legislature to support state employees contribution toward health care coverage premiums. Referred to Administration Committee.
23. Edward Marciniak, Boys and Girls Club of Superior, request for financial support of Gang Prevention program. Referred to Administration Committee.
24. Michael Blaska, Wisconsin Office of Land Information Services, notice of comprehensive planning grants for fiscal year 2003 and related information. Referred to Zoning Committee.
25. Department of Natural Resources, notice of permit application for grading and structure installation by Army Corps of Engineers, on bank of the St. Louis River. Received and placed on file.
26. Wisconsin Public Service Commission, notice of telephone hearing, November 6, 2002, regarding application by Superior Water, Light and Power Company to change its method of cost recovery for providing public fire protection service. Referred to Corporation Counsel.

Correspondence not on agenda:

27. Dennis D. Lathrop, thank you letter to County Board Chair Douglas Finn. Received and placed on file.
28. Wisconsin Department of Revenue, revised estimate of 2002 shared revenue, SMSR and expenditure restraint payments. Referred to Administration Committee.
29. Wisconsin Department of Revenue, estimated 2003 shared revenue, SMSR and expenditure restraint payments schedule. Referred to Administration Committee.
30. Ken Harwood, Local Government Liaison for Governor McCallum, acknowledgment of receipt of Douglas County's resolutions #86-02 and 84-02. Received and placed on file.

31. Department of Natural Resources, assessment of severance share on wood products cut from Douglas County forest lands. Referred to Forest, Parks and Recreation Committee.
32. Donna McClellan, faxed letter to County Board Chair regarding budgetary decisions for 2003 county departmental budgets. Referred to Administration Committee.
33. Mike Farrell, Northern Business Products, Inc., letter and invoice regarding services performed during the FF&E bidding process for Metro Center project. Referred to Buildings and Grounds Committee and Corporation Counsel.

## **PRESENTATIONS**

Barb Berkseth, LPN in the Health Department, was presented Employee of the Quarter award by County Board Chair Douglas Finn. Pat Heiser, Director of the Health Department, and Judith Walker, Home Health Manager, recognized Berkseth's contributions and dedication to serving the needs of the community. Berkseth expressed appreciation to Heiser and the County Board for this recognition, indicating she loves her work and is thankful for the opportunity to work for the county.

Andy Lisak, Executive Director, The Development Association, Inc., provided an update on the Association's activities and initiatives, and briefly reviewed the organization's mission and goals. Since taking the helm of the association, his focus has been on business retention and expansion. Currently, a grant from the Department of Commerce has been received to conduct a survey of area businesses, to identify retention, expansion, and other business needs. This will give the Association added information with which to assist businesses and business development. In addition, business recruitment is being undertaken through affinity marketing, which is a strategy utilizing contacts made through such sources as WITC, UW-Superior and others throughout the county that can help attract businesses or entrepreneurs to Superior/Douglas County. In June, the Governor announced that Douglas County, through an application by a coalition of northern Wisconsin counties, received designation as a technology development zone - for assistance with technology businesses. Lisak explained the Governor's "Build Wisconsin" program, a concise business development strategy for the state, with goals of raising average per capita income in Wisconsin. The state is looking at industry clusters to help related types of businesses expand. Transportation companies were identified in Superior as a cluster. This focus is the largest industry Superior and Douglas County have outside of retail and service industries; and it is the only industry here in the north that pays higher than the average income in the industry throughout the state. In the Town of Parkland, Brown Enterprises, a manufacturer of burial vaults, is a new business that has created six or seven jobs. Brief discussion followed. Chairman Finn remarked that as counties are looking for increased businesses and revenues, it is imperative that Douglas County continue its work in business and economic development. He thanked Lisak and his staff for their work.

James Litwin, Metro Center Construction Manager, was not able to attend tonight's meeting.



Supervisor Browne introduced Jessica Eaton, freshman at Superior Senior High School, who is a contestant for Miss Teen Wisconsin. Eaton addressed the County Board, on her activities in school and the community. Any contributions to help defray the \$750 entry fee will be appreciated. Make checks payable to Ms. Jessica Eaton, and mail to Supervisor Robert Browne at the courthouse.

**AMENDMENT TO ORDINANCE #8.0  
ZONING ORDINANCE  
PRESENTED BY THE ZONING COMMITTEE**

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF DOUGLAS DOES ORDAIN AS FOLLOWS:

WHEREAS, the Douglas County Zoning Committee held a public hearing on September 12, 2002, on the following petitions for amendment of the county zoning district ordinance map:

- (1) Part of the SW1/4 of the SW1/4 and in Part of the SE1/4 of the SW1/4, Lot 2, CSM 557, Vol. 4, Pgs. 77-78, Section 22, T48N-R14W, Town of Superior, from R-2: Residential zoning district to A-1: Agriculture zoning district, by Daniel Lindberg, 3741 E. Burning Tree Drive, Superior, Wisconsin. Intended Use: Vehicle sales.
- (2) Part of the NE1/4 of the NE1/4, Section 11, T46N-R15W, Town of Summit, from ~~R-1~~ **R-2** Residential zoning district to R-1: Residential zoning district, by Norman and Colleen Anderson, 1912 E. County Road BB, Foxboro, Wisconsin. Intended Use: Single family residence on parcel under 5 acres.
- (3) Part of the NE1/4 of the NE1/4 and in Part of the NW1/4 of the NE1/4, Section 5, T46N-R13W, (5582 E. Otto Road), Town of Oakland, from F-1: Forestry zoning district to A-1: Agriculture zoning district, by David and Debra Hansen, et. al. (sellers), 5304 E. Wilkinson Road, South Range, Wisconsin / Rita Hansen (buyer). Intended Use: Mobile home.

WHEREAS, proof of publication of the notice of the public hearing, proof of giving notice to the town clerks of the hearing, and correspondence from the towns is as shown on Exhibit A-9-02.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Zoning Committee and approve the petitions.

BE IT FURTHER RESOLVED that the County Clerk notify the town clerks of the action.

Dated this 19<sup>th</sup> day of September, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: . Motion by C. Johnson, second Ryan, to adopt. Motion by C. Johnson, second Ryan, to amend #2 of resolution and change first "R-1" to "R-2". Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #98-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales

WHEREAS, Douglas County has advertised for sale various parcels of land on August 2, 9 and 16, 2002, in accordance with Section 75.69, Wisconsin Statutes, and the highest bids received are as follows:

- \$ 14,000.00 Parcel 59-02: Southeast 1/4 of Northeast 1/4, Section 11-48-13, Town of Parkland, from Greg and Kurt Standen. Intended use: Recreation.
- \$ 31,259.00 Parcel 60-02: Lots 1 through 4 Inclusive, Block 2, Chicago Pier, Blocks 4, 5, and 6, Water Street, Blocks 12 and 13, Elm Street, Blocks 9 and 10, Walnut Street, Blocks 9 and 10, Spruce Street, Blocks 9 and 10, Vine Street and Block 10, State Street, Mc Kenty's Addition, Town of Lakeside, from Terry Jahnke and John Kurowicki. Intended use: Recreation.
- \$ 2,108.00 Parcel 65-02: Southeast 1/4 of Northeast 1/4, lying East of County Highway E, Section 21-47-12, Town of Hawthorne, from John Hillestad. Intended use: Owns adjacent land - access into it.
- \$ 2,800.00 Parcel 66-02: Lots 1 through 14 Inclusive, Block 11, Carnegie Eastern Division, Town of Superior, from Troy Stafne. Intended use: Homesite.
- \$ 8,502.00 Parcel 67-02: Lots 1 through 4 Inclusive, 7 through 10 Inclusive and 13 through 20 Inclusive, Block 1, Lots 6 through 9 Inclusive, 12, 13, 15, and 16, Block 2, Airline Division #3, Village of Oliver, from Tim Van Hout. Intended use: Homesite.
- \$ 1,500.00 Parcel 69-02: Lot 111, West 9<sup>th</sup> Street, Townsite of Superior, known as 2717 East 9<sup>th</sup> Street, from Douglas Sorenson. Intended use: Storage shed - owns adjacent lots.

NOW, THEREFORE, BE IT RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute a quit claim deed to the above named persons on the above named properties.

Dated this 19<sup>th</sup> day of September, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase Profit and Loss on "Land Sales Account" by \$60,169.00)

ACTION: Motion by Hooper, second Robinson, to adopt. Motion carried.

**RESOLUTION #99-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE AND**  
**ADMINISTRATION COMMITTEE**

Subject: Community Development Block Grant (CDBG) Housing Application

WHEREAS, the Northwest Regional Planning Commission is a legally constituted regional planning agency created pursuant to the statutes of the State of Wisconsin and its own adopted by-laws; and

WHEREAS, pursuant to the statutes of the State of Wisconsin and the Commission's By-laws, the Commission has been granted the power to enter into contracts with any local unit of government within the region for the purpose of providing technical assistance on planning and development matters; and

WHEREAS, Douglas County is a local unit of government within the region; and

WHEREAS, Douglas County has requested technical assistance from the Commission as specified in the scope of services.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors enter into an agreement with Northwest Regional Planning Commission to prepare and submit a CDBG Housing application on behalf of the County.

BE IT FURTHER RESOLVED, that the period for this agreement will be from August 1, 2002 through September 30, 2002, at a total cost of \$5,500, with the Commission to bill the County upon submission of the application.

Dated this 19<sup>th</sup> day of September, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Reduce Land Improvement Account by \$5,500.00)

ACTION: Motion by Cosgrove, second Conley, to adopt. Motion carried.

**RESOLUTION #100-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Correction of Legal Description

WHEREAS, Land Sale Resolution #60-02, approved sale of Parcel #12-02 to Gerald Lozon on June 20, 2002, and

WHEREAS, the resolution omitted three blocks (28, 30, and 32) from the legal description, which were intended to be part of the sale.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and correct the legal description for Parcel #12-02, as follows:

Blocks 27, 28, 29, 30, 31, and 32, East 19<sup>th</sup> Street, Townsite of Superior and Lots 226 through 240 (even Numbers), Block 26, East 20<sup>th</sup> Street, Riverview, City of Superior, known as 3818-32 and 3901 through 32 East 19<sup>th</sup> Street and 3801 through 3931 East 20<sup>th</sup> Street.

BE IT FURTHER RESOLVED that the County Clerk is directed to correct the legal description on the quit claim deed transferring ownership of the property to Gerald Lozon.

Dated this 19<sup>th</sup> day of September, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Cosgrove, second Conley, to adopt. Motion carried.

**RESOLUTION #101-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: County Sales Tax Credit Line on Real Estate Tax Statement

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and approve inclusion of the following statement on Douglas County's Real Estate Property Tax Bills, as shown on Exhibit B-9-02: **in Option 4 (separate line showing the County Sales Tax Credit):**

The county sales tax reduced your county tax by "\$\_\_\_\_\_".

**“County Sales Tax Credit \_\_\_\_\_ \$ \_\_\_\_\_”**

Dated this 19<sup>th</sup> day of September, 2002.

(Committee Action: Roll call vote 5 - 4 - 2)

(Fiscal Note: None)

ACTION: Motion by Pleski, second Cosgrove, to adopt. Discussion followed. Motion by Quam, second Ryan, to amend the resolution, replacing “Option 2” with “Option 4”. Motion by C. Johnson, second Martin, to suspend rules and allow audience members to address the Board on this resolution. Motion carried. Carl Schroeder, 1201 Hammond Avenue, asked that the Board adopt Option 4, and suggested it would help to clear up the alleged subterfuge of misuse of county sales tax dollars. He disagreed that most persons would not understand the sales tax statement. Kevin Peterson presented an additional approach to adding sales tax to the tax statement, and explained his rationale. He suggested that the credit should be on the statement, not a notation as to the amount of the credit. He distributed copies of of Option 5 that he drafted. McKenzie asked if Data Processing Director Dusek can accommodate all four options presented, and it was indicated he could. Pleski stated he supported Option 2 as he sees it as the most clearly understood, and suggested Option 4 puts it in the same area as the lottery credit, which may cause confusion. Option 4 requires backtracking to bring everything up to date. Chairman Finn stated there has been a lot of discussion on this, and Option 2 is the most clear; however, he supports Option 4 even though it will require more effort and time. Hooper stated she supports Option 4, and wants people to know supervisors are listening. Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #102-02  
RESOLUTION BY SUPERVISORS ON THE LIBRARY  
BOARD PLANNING COMMITTEE**

Subject: Douglas County Library Service Plan 2002-2003

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of Supervisors on the Library Board Planning Committee and approve the Douglas County Library Service Plan 2002-2003 as shown in Exhibit C-9-02.

Dated this 19<sup>th</sup> day of September, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None.)

ACTION: Motion by Martin, second C. Johnson, to adopt. Motion carried.

**RESOLUTION #103-02**  
**RESOLUTION BY SUPERVISORS ON THE BOARD OF HEALTH**  
**AND HUMAN SERVICES BOARD**

Subject: Health Department and Human Services Department Merger

WHEREAS, the County Board directed the Administrative Coordinator to develop a comprehensive plan to combine the Health Department and Human Services Department, and

WHEREAS, both the Board of Health and the Human Services Board have reviewed the proposed options to combine the Human Services Board and the Board of Health, and

WHEREAS, at the joint meeting of the Board of Health and the Human Services Board, the recommendation of the Administrative Coordinator was approved, and

WHEREAS, the Administrative Coordinator has recommended that the departments of Health and Human Services be merged into the Department of Health and Human Services, recognizing that this effort will be dynamic and changing as these departments merge, and

WHEREAS, the Administration Committee also voted to merge these two departments with review in 2003.

NOW, THEREFORE, BE IT RESOLVED by the Douglas County Board of Supervisors that the Douglas County Health Department and the Douglas County Department of Human Services become the Department of Health and Human Services, effective January 1, 2003, with quarterly reviews of the merger in 2003.

Dated this 19<sup>th</sup> day of September, 2002.

(Committee Action: Roll call vote 7 - 4 - 7)

(Fiscal Note: None)

**ACTION:** Motion by John O'Brien, second James O'Brien, to adopt. Motion by Willie, second Liebaert, to refer the resolution to the next County Board meeting. Willie explained his referral rationale, noting that the Board of Health Chair is not present to make a report, and one-fourth of the Board is absent. He lauded the work of the Health Department, stating his concern about losing services in Douglas County, and how this merger affects jobs and programs. McKenzie echoed Willie's remarks on the issue. Quam indicated he and Coletta both serve on the Board of Health, and they both voted to support the merger. Discussion followed regarding inclusion of development of a comprehensive plan that is in the resolution, and that it clearly states the two departments will become the Department of Health and Human Services. Hooper and Ryan stated concerns about delaying this decision at a time when the departments

are about to move into the new building. Koszarek indicated he has had many conversations with Coletta over this, and knows Coletta supports it. Koszarek referred to studies and surveys that were done to reach this recommendation by the committees. He explained that the reason for his recommendation is that he truly believes it would save dollars and enhance services over the long term. Browne noted he has never seen the data on how dollars will be saved, how programs will be affected, and wants to see this information in writing. Willie noted that most resolutions have a fiscal note at the bottom of them, and this resolution does not. Roll call vote taken on the referral and failed with 7 Yes, 14 No, 7 Absent. Voting yes were Browne, Conley, McKenzie, Shepard, Willie, K. Johnson, Liebaert. Absent were Glenn, Eckman, Prettie, Waterman, Allen, W. Johnson, Coletta.

Discussion on the resolution followed, with several supervisors stating their fear that the Health Department will lose its identity with the merger. Conley recalled that when discussions on the resolution to consider a merger began, he had stated his concern that there be some sound fiscal arguments to support merging, to include a comprehensive plan with sound fiscal evidence and program efficiencies in a report format. He stated he is disappointed that no one has presented anything pointing to facts and figures on the recommendation, but believe this information will probably be available as the merger proceeds. Conley added that he believes the merger can work because of the quality of the employees in both departments. McKenzie indicated that she has heard one comment that the merger will save money and another that it will cost more. Chairman Finn responded that if people are concerned with Health Department getting lost in the shuffle, attention should be paid to being sure it doesn't. Koszarek stated that in the process of talking about the merger, a decision was made that already saved \$44,000 annually, as well as one position. Lengthy discussion followed on both sides of the issue. Roll call vote taken and passed with 17 Yes, 4 No, 7 Absent. Voting no were Browne, McKenzie, Willie, Liebaert. Absent were Glenn, Eckman, Prettie, Waterman, Allen, W. Johnson, Coletta.

**RESOLUTION #104-02**  
**RESOLUTION BY THE ZONING COMMITTEE AND SUPERVISORS**  
**ON THE LAND RECORDS COMMITTEE**

Subject: Land Information Officer Appointment

WHEREAS, Dianne Caffrey served as Land Information Officer in the Land Records Department until her retirement on June 15, 2002, and

WHEREAS, to maintain Douglas County's commitment to land records modernization and membership with the Wisconsin Land Information Association and Wisconsin Land Council, it is necessary to appoint a Land Information Officer.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors appoint Steve Rannenberg as Acting Land Information Officer for Douglas County.

Dated this 19<sup>th</sup> day of September, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by McKenzie, second C. Johnson, to adopt. Motion carried.

**RESOLUTION #105-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Metro Center Budget Amendment

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and combine the Construction Manager and General Conditions line items of the Construction Management Budget Component of the Metro Center Budget into one line item to be referred to as "Construction Manager/General Conditions".

Dated this 19<sup>th</sup> day of September, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None.)

ACTION: Roll call vote taken and passed with 19 Yes, 1 No, 8 Absent. Voting no was Browne. Absent were Glenn, Eckman, Prettie, Waterman, Willie, Allen, W. Johnson, Coletta.

**RESOLUTION #106-02**  
**RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: Blood Alcohol Level for Driving Under the Influence

WHEREAS, in October 2000, Congress passed the U.S. Department of Transportation's 2001 Appropriation Act, which requires each state to lower its legal drunk driving limit for a first offense to .08 blood alcohol concentration by September 30, 2003, in order to receive the full share of federal highway funds, and

WHEREAS, Wisconsin has lost eligibility for approximately \$15 million in incentive funds available to states enacting .08 laws since fiscal year 1998, and

WHEREAS, lowering of the legal blood alcohol limit is not only prudent with regard to the privilege to drive and safety concerns, but will stop the loss and potential loss of highway funds to Douglas County and the State of Wisconsin in the future.



NOW THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors encourages the Wisconsin legislature to consider lowering the legal blood alcohol level for a driving under the influence first offense from .10 to .08, according to the the Blood Alcohol Concentration Standard stated in HR 4475 of the United States Congress.

BE IT FURTHER RESOLVED, that the Douglas County Clerk be directed to forward a copy of this resolution to the Governor of the State of Wisconsin, Douglas County state and federal legislators, the Wisconsin Counties Association, and all Wisconsin County Clerks.

Dated this 19<sup>th</sup> day of September, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

**ACTION:** Motion by Quam, second Ryan, to adopt. Motion by McKenzie, second Hooper, to amend the resolution to come from entire County Board. Motion carried. Dan Corbin, tavern owner and president of the Douglas County Tavern League, addressed the Board encouraging opposition to the resolution. He presented statistics from a Department of Transportation article on the decrease in alcohol related auto accidents. As an instructor of the responsible beverage service class in the county, Corbin stated there is not a bartender or beverage server that does not have to complete and pass that class. He explained the free taxi service for tavern customers, made available through the Tavern League. Illinois has .08 level and the traffic related DWI's has risen or not gone down. He asked that supervisors go back on this to their constituency, and see what they want. Ward indicated since this agenda came out all the calls he has been getting is on this resolution. He stated his belief that this is a state issue to ram something down the throats of the county, and just because the federal government waves a check in front of local governments, is not a reason to change something like this. He doesn't believe .08 will make a difference as is evidenced in some other states. Robinson supported the resolution based on personal experience. Highway Committee has not acted on this as yet. Motion by Quam, second Hooper, to refer this resolution back to Law Enforcement Committee, and to Highway Committee and Judiciary, Legislative and Veterans Committee. Motion to refer carried.

**RESOLUTION #107-02**  
**RESOLUTION BY THE FOREST, PARKS AND RECREATION COMMITTEE**

Subject: Forest Ten-Year Comprehensive Management Plan Amendment

WHEREAS, Douglas County has lands enrolled as County Forest pursuant to Section 28.11 of the Wisconsin Statutes, and

WHEREAS, subsection (5)(a) of said statute requires that a Comprehensive County Forest Management Plan be prepared by the County Forest, Parks and Recreation Committee to encompass ten-year periods, and

WHEREAS, the mechanism for updating the plan is by amendments (Chapter 300, Section 305.3), which “require approval by both the County Board and the DNR as prescribed in State Statute 28.11 (5)(a)”, and

WHEREAS, the County Forest Land Acquisition Fund (Chapter 200, Section 215.1.2) provides for a maximum balance in the fund of \$20,000, and

WHEREAS, land values have risen dramatically since the 1996 adoption of the current 10-year plan, and the Douglas County Forest, Parks and Recreation Committee has determined \$20,000 to be inadequate to allow the Forestry Department to correspond in a timely manner and acquire potential land as it becomes available within the County Forest block.

NOW, THEREFORE BE IT RESOLVED, that the Douglas County Board of Supervisors amend the Douglas County Forest Ten-Year Comprehensive Management Plan (Chapter 200, Section 215.1.2) to increase the annual maximum balance of the County Forest Land Acquisition Fund from \$20,000 to \$40,000.

Dated this 19<sup>th</sup> day of September, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Within department budget; no impact on tax levy)

ACTION: Motion by Zukowski, second C. Johnson, to adopt. Motion carried.

**RESOLUTION #108-02**  
**RESOLUTION BY THE HUMAN SERVICES BOARD**

Subject: State Funding for Long-Term Mental Health Inpatients

WHEREAS, Douglas County is projected to expend more than \$243,000 this year for mental health inpatient treatment, and

WHEREAS, the financial burden on county property tax payers continues to escalate, and

WHEREAS, the state continues to increase the rates for mental health inpatient treatment at state institutions, while decreasing funding that would help pay for such services.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors urges the State of Wisconsin to amend current policies, procedures and laws regarding funding for mental health inpatient hospitalizations so that counties fund short-term mental health placements and the state funds long-term placements in state mental health hospitals.

BE IT FURTHER RESOLVED, that any and all counties facing this financial crisis are encouraged to pass a similar resolution, and that a copy of this resolution be sent to the Governor, all elected state representatives from this area, the Secretary of the Department of Health and Family Services, the Wisconsin Counties Association, all Wisconsin County Board Chairpersons, and all directors of human/social services and community programs in Wisconsin.

Dated this 19<sup>th</sup> day of September, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Shepard, second James O'Brien, to adopt. Conley noted this is one huge area of concern. He added that if anyone has opportunity to talk with state candidates, ask how they stand on this issue. Motion carried.

#### **RESOLUTION #109-02**

#### **RESOLUTION BY THE JUDICIARY, LEGISLATIVE AND VETERANS COMMITTEE**

Subject: Wisconsin/Minnesota Income Tax Returns Reciprocity

WHEREAS, for decades the States of Wisconsin and Minnesota have agreed that residents of each state who are employed in the other state shall file a single income tax return of their state of residence, and

WHEREAS, filing an income tax return for both their state of residence and their state of employment would be more burdensome and expensive, and

WHEREAS, hundreds of Douglas County residents are employed in Minnesota, and many Minnesota residents are employed in Douglas County, Wisconsin.

NOW, THEREFORE, BE IT RESOLVED, that the Douglas County Board of Supervisors requests the Wisconsin Counties Association to request that the Governor and legislature of Wisconsin act to continue the agreement which enables filing of a single income tax return by residents of Wisconsin and Minnesota who are employed in the other state.

BE IT FURTHER RESOLVED, that upon passage of this resolution, the County Clerk send copies to Governor McCallum, Douglas County's legislative delegation, the Wisconsin Counties

Association, and all Wisconsin counties; and to Minnesota Governor and state legislators for Duluth, Minnesota area.

Dated this 19<sup>th</sup> day of September, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Browne, second McKenzie, to adopt. Motion by Pleski, second Robinson, to amend resolution and send it to Minnesota Governor and state legislators for Duluth, Minnesota area. Motion carried. Motion to approve resolution, as amended, carried.

**RESOLUTION #110-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Arbitrage Consultant Hired

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and hire Arbitrage Rebate Company to prepare and complete all arbitrage filings required by the Internal Revenue Service in connection with the 1998 and 1999 bond issues and prepare and complete all required reports for the 2001 and 2002 bond issues, at a cost of \$13,700.00.

Dated this 19<sup>th</sup> day of September, 2002.

(Committee Action: Unanimous)

(Fiscal Note: \$13,700.00, included within Metro Center budget)

ACTION: Motion by Pleski, second Ward, to adopt. Zukowski asked how this could be included in the Metro Center budget. Koszarek noted this was part of the miscellaneous fund in the Metro Center budget. Motion carried.

**ADMINISTRATIVE COORDINATOR REPORT**

Koszarek reported transitional plan is moving forward, and elevator issue has been resolved. FF&E purchase is going well, and in an effort to save some money EBI was selected to assist with coordination of the move. EBI has been coming back daily with suggestions on how to improve cost-savings. Target date for furniture arrival is end of October. Administration Committee budget meetings have been productive, and meeting with Sheriff today over that budget was very good in terms of staffing new jail.

**COUNTY BOARD CHAIR REPORT AND APPOINTMENTS**

Appointments recommended were: Land Conservation Committee - Robert Browne and Lew Martin replacing Jan Jensen. Motion by McKenzie, second Liebaert, to approve. Motion carried.

Chairman Finn reminded members of the Bong Heritage Center opening next week. Robinson indicated the Center is impressive and encourages members to participate.

WCA Convention is next week, and Jack Shepard will be installed as President of the Association.

### **COMMITTEE REPORTS**

Hooper reported from Administration Committee, noting budget meetings this week were difficult, but cuts made of \$1.2 million to department budgets. To keep mill rate the same, another \$200,000 needs to be cut, and it is anticipated this will be accomplished at tomorrow's meeting. Departments have been very cooperative.

Robinson reported that Judiciary, Legislative and Veterans Committee met, and it was reported by Clerk of Courts that the agency collections was \$3,394.35 last month.

C. Johnson reported that Rural Housing Association met last week. She encouraged supervisors to advocate to rural people the rural program that is available. Special Zoning Committee meeting on October 18, at 1:00 p.m., on shoreland ordinance. Also reviewing the zoning complaint process.

Zukowski reported Buildings & Grounds Committee meets October 3rd. Project going forward.

Conley reported that the Human Services Department budget cut of \$300,000 will really hurt. He noted that for every \$1 the county puts into the programs, \$6 in revenue is realized. The unmandated programs are the expensive ones, and he stated he is hopeful the Administration Committee will reconsider the cuts made. Human Services has plethora of programs, and is overwhelming for board members to sit in a meeting a know what is going on. There will be a training session presented October 10, 4 p.m., at Lakehead, and all County Board members are welcome to attend. It will be informational session on the various programs and activities of the department.

McKenzie reported that the county has opportunity to host consortium of ten counties on bioterrorism issues and training. She reported an occurrence of two subsidized housing sites in Superior that were found to have mold problems causing children health problems, and the Health Department was instrumental in resolving the problem.

Allen reported Land and Development Committee will meet on Tuesday the 24<sup>th</sup>, and the county will be looking to take several properties, some of which are vacant. He urged supervisors who know people on the tax deed list, to let them know, in case they are not aware of their situation.

Quam reported the Communications Center Board will meet next Thursday at 3 p.m., in the Mayor's Conference Room.

Browne reported Forest, Parks and Recreation Committee met, and no forest fires of major concerns this year. Forest being managed well, thanks to Administrator Dick Moore. Next meeting is September 30<sup>th</sup> at 9:30 a.m., in Solon Springs.

Martin reported the Bong Heritage Center is approaching its opening and dedication, and Marge Bong is expected to be present.

**APPROVAL OF BILLS AND CLAIMS**

No printouts available; refer to next month.

**SUCH OTHER MATTERS AS AUTHORIZED UNDER THE WISCONSIN STATUTES**

Browne reported Dragon Boat races went well, with 40 more teams than expected. He read names of the Douglas County team participants.

K. Johnson reported the Brule Forest Plan is not forgotten and will be back on for the next meeting.

Ryan carried a message of thanks to Chairman Finn from house owner in Oliver for assistance with sinking problem.

Ward asked about the status of the budget on the Metro Center in terms of the Communications Center purchases. Koszarek indicated there is \$434,000 designated, and contingency plus FF&E cost savings are under scrutiny for additional dollars.

Hooper reminded supervisors that the Administration Committee meets tomorrow and will be discussing the operation of the Communications Center.

**ADJOURNMENT:** Motion by Quam, second Ward, to adjourn. Motion carried. Meeting adjourned 8:00 p.m. Next regularly scheduled meeting - Thursday, October 17, 2002

Submitted by,

Susan T. Sandvick  
Douglas County Clerk

**PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS**  
**Thursday, October 17, 2002, 6:00 p.m., City-County Complex Chambers**  
**1409 Hammond Avenue, Superior, Wisconsin**

Meeting called to order by Chairman Douglas Finn.

Pledge of Allegiance recited.

Roll call taken by County Clerk Susan T. Sandvick. There were 25 present, 3 absent. Absent and excused were Louis Willie, Wes Johnson, and John Shepard, Sr.

Motion by Hooper, second K. Johnson, to approve August 15, 2002 and September 19, 2002 meeting minutes. Motion carried.

**CLAIMS AGAINST THE COUNTY**

Claim from Northern Business Products, Inc., in the amount of \$22,950.00 for services rendered in relation to Metro Center furniture bid. Referred to Corporation Counsel.

**CORRESPONDENCE**

1. Wisconsin Department of Transportation, relocation order for STH2, Clevedon Road - Sznaider Road. Referred to Highway Committee.
2. Village of Poplar, ordinance establishing multiple use routes for snowmobiles and ATV's in a portion of the Village of Poplar, Douglas County roads. Referred to Highway Committee, Forest, Parks and Recreation Committee, and Law Enforcement Committee.
3. Waupaca and Langlade Counties, resolution requesting Wisconsin Counties Association and National Association of Counties take leadership role on providing counties with information and consultation on HIPPA compliance. Referred to Administration Committee.
4. Mark Rooney, Douglas County Foster Home Coordinator, thank you letter to County Board for contribution supporting 19<sup>th</sup> Annual Foster Parent Appreciation Dinner. Received and placed on file.
5. Dawn Nelson, Communications Center Director, letter of resignation as Chair of Local Emergency Planning Committee. Referred to County Board Chair and Local Emergency Planning Committee.
6. Columbia County, resolution supporting federal legislation on tariff rates for imported casein and milk protein concentrates. Referred to Environment, Agriculture and Extension Committee.

7. Governor McCallum, notification of receipt of Douglas County resolution on shared revenue payments for municipalities that host utilities. Received and placed on file.
8. Wisconsin Division of Housing and Intergovernmental Relations, copy of inaugural issue of Wisconsin Great Lakes Chronicle. Received and placed on file.
9. Department of Health and Family Services, notice of deposit and expenditure reimbursement of July 2002 for various Douglas County Human Services Department contracts. Referred to Human Services Board.
10. Superior Public Museums, letter encouraging utilization of Fairlawn Museum during the 2002 holiday season. Received and placed on file.
11. Wisconsin Department of Revenue, notice of 2002 equalized value of tax exempt computer aid. Referred to Administration Committee.
12. Department of Transportation, 2003 General Transportation Aids Estimate. Referred to Highway Committee and Administration Committee.
13. Wisconsin Towns Association, Douglas County Unit, letter recommending moratorium on any condemnations of residential sanitary septic systems, until decision from Comm 83 Advisory Committee is rendered. Referred to Zoning Committee.
14. Wisconsin Department of Natural Resources, notice of purchase of easement in Town of Superior, from Jean S. Captain. Referred to Land and Development Committee.
15. Wisconsin Department of Natural Resources, notice of purchase of easement in Town of Solon Springs, from Georgianna Dorsey. Referred to Land and Development Committee.
16. Wisconsin Department of Natural Resources, severance share assessment on wood products cut from Douglas County forest lands. Referred to Forest, Parks and Recreation Committee.
17. Supervisor Bill Eckman, thank you note for plant. Received and placed on file.

Correspondence not on agenda:

18. McGladrey & Pullen, LLP, audit report to Aging Resource Center Board of Directors. Referred to Administration Committee.



19. Richard Moore, Forestry Department Director, letter addressing the process to sell land that is entered into County Forest Crop Law, and information specific to the Douglas County Forest. Received and placed on file.
20. Wisconsin Counties Association, announcement of October 21, 2002 meeting regarding a development in refinancing counties' unfunded prior service liability related to WRS. Referred to Administration Committee.
21. Waushara County, resolution encouraging state legislature to allow additional court costs to be used to establish court security funds statewide. Referred to Judiciary, Legislative and Veterans Committee.
22. Wisconsin Department of Administration, Demographic Services Center, final estimate of January 1, 2002 population for Douglas County. Received and placed on file.
23. Department of Natural Resources, notice of proposed Rainy River Energy Corporation grading project on bank of Nemadji River. Received and placed on file.
24. Wisconsin Counties Association, schedule of 2002-03 meeting dates. Received and placed on file.
25. Wisconsin Counties Association, notice of November 12, 2002 educational seminar on Model Livestock Ordinance. Referred to Environment, Agriculture and Extension Committee.
26. Columbia County, resolution supporting Agricultural Development Zone application. Referred to Environment, Agriculture and Extension Committee.
27. Columbia County, resolution supporting federal legislation for tariff rate quotes on certain imported casein and milk protein concentrates. Received and placed on file.
28. Oneida County, resolution urging state legislators to require state employees contribute toward their health care coverage premiums. Referred to Administration Committee.

## **PRESENTATIONS**

James Litwin, Construction Manager for the Metro Center project, began by thanking Board members for messages of sympathy on his mother's death. He reported that paving will begin next week. Landscaping, sidewalks, curbs, are in process. Certificate of occupancy is underway for Building A. Elevator inspection scheduled for end of October. Furniture for Building A arrives October 28<sup>th</sup>. Emmons staff have been a great help in coordination. Occupancy expected December 1<sup>st</sup> for Building A, with completion of Building B in January or February. Weekly meetings show that most everything is on

schedule. Testing of windows was completed, and all tests passed successfully. Board members had no questions for Litwin.

## **ORDINANCES**

### **AMENDMENT TO ORDINANCE #8.0 ZONING ORDINANCE PRESENTED BY THE ZONING COMMITTEE**

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF DOUGLAS DOES ORDAIN AS FOLLOWS:

WHEREAS, the Douglas County Zoning Committee held a public hearing on September 12, 2002, on the following petitions for amendment of the county zoning district ordinance map:

- (1) Part of the NE1/4 of the SE1/4, Section 11, T43N-R14W, Town of Dairyland, from F-1: Forestry zoning district to A-1: Agriculture zoning district, by Anthony F. Podgorak, W8805 Little Sand Road, Minong, Wisconsin. Intended use: Farming/hobby farm;
- (2) Part of the NE1/4 of the NW1/4 of the NE1/4, Section 19, T47N-R12W, Town of Hawthorne, from F-1: Forestry zoning district to the A-1: Agriculture zoning district, by Glenita J. Hope, 5911 E. Neuman Road, South Range, Wisconsin. Intended use: Subdivision of parcel to allow two single family residences; and

WHEREAS, the Douglas County Zoning Committee held a public hearing on October 10, 2002, on the following petition for amendment of the county zoning district ordinance map:

- (3) Part of the NW1/4 of the SW1/4, Section 11, T47N-R11W, Town of Maple, from F-1: Forestry zoning district to the A-1: Agriculture zoning district, by George and Arlene Bunnell, 5446 S. County Road F, Maple, Wisconsin. Intended use: Mobile home.

WHEREAS, proof of publication of the notice of the public hearing, proof of giving notice to the town clerks of the hearing, and correspondence from the towns is as shown on Exhibit A-10-02.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Zoning Committee and approve the petitions.

BE IT FURTHER RESOLVED that the County Clerk notify the town clerks of the action.

Dated this 17<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)  
(Fiscal Note: None)

ACTION: Motion by C. Johnson, second Hooper, to adopt. Motion carried.

### **PLAT APPROVALS**

Approval of "Gondiks Addition to the Town of Superior". Motion by Coletta, second C. Johnson, to approve. Motion carried.

Approval of "Longs Addition to Solon Springs, Town of Solon Springs. Motion by C. Johnson, second Cosgrove, to approve. Motion carried.

### **RESOLUTIONS**

#### **RESOLUTION #111-02**

#### **RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales

WHEREAS, Douglas County has advertised for sale various parcels of land on August 30, September 6 and 13, 2002, in accordance with Section 75.69, Wisconsin Statutes, and the highest bids received are as follows:

~~\$ 800.00 Parcel 68-02: Fractional Lots 7 and 8, Block 84, Superior City, known as 105 East 7<sup>th</sup> Street, City of Superior, from Barbara J. Cooney. Intended use: Owns adjacent property.~~

\$ 1,370.00 Parcel 71-02: Lots 1, 2, and 3, Donald's Addition to Dowling Lake, Town of Oakland, from John Hanson. Intended use: Owns property across from parcel.

\$ 6,127.00 Parcel 72-02: Lots 14 through 24 Inclusive, Block 11, West Superior Boulevard Addition, known as 3027-47 Clough Avenue, City of Superior, from Julie Benson. Intended use: Building site clearance.

NOW, THEREFORE, BE IT RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute quit claim deeds to the above named persons on the above named properties.

Dated this 17<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase Profit and Loss on "Land Sales Account" by \$8,297.00)

ACTION: Motion by Glenn, second Martin, to adopt. Motion by Allen, second Glenn, that parcel 68-02 be referred back to committee. Motion carried. Prettie abstained. Motion to adopt resolution, as amended, carried.

**RESOLUTION #112-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales - Special

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve sale of the following described properties, which were previously advertised and did not sell:

\$80,000.00 Parcel 51-02: Northwest 1/4 of the Northeast 1/4, Northeast 1/4 of the Northwest 1/4, Northwest 1/4 of the Northwest 1/4, Southeast 1/4 of the Northwest 1/4, Southwest 1/4 of the Northeast 1/4, Northeast 1/4 of the Southeast 1/4, Northwest 1/4 of the Southeast 1/4, Section 12-48-13, Town of Parkland, except easements, from Paul Rauter. Intended Use: Forestry.

\$ 1,950.00 Parcel 67-99: Lots 7, 8, 9, and 10, West Superior Boulevard Addition, known as 3013-19 Clough Avenue, City of Superior, from Timothy Opuus. Intended Use: Homesite.

\$ 4,000.00 Parcel 70-02: Lots 20 through 23, Inclusive, Block 2, Alley and North 24<sup>th</sup> Street Vacated, Steel Center Addition, known as 2401-07 Bardon Avenue, City of Superior, from Jeffrey S. Mickelson, Sr. and Faye M. Mickelson. Intended use: Homesite.

BE IT FURTHER RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute quit claim deeds to the above named persons on the above named properties.

Dated this 17<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$85,950.00)

ACTION: Motion by Allen, second Cosgrove, to adopt. Motion carried.

**RESOLUTION #113-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Tax Deeds Taken by County

WHEREAS, on October 22, 2002, Douglas County will take tax deeds for 1998 unpaid taxes,  
and

WHEREAS, Section 75.14 of the Wisconsin Statutes requires County Board approval for  
issuance of tax deeds.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors hereby  
accept the recommendation of the Land and Development Committee and approve the issuance of tax  
deeds on October 22, 2002, for properties listed on Exhibit D-10-02, for which the 1998 taxes remain  
unpaid as of that date.

Dated this 17<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Martin, second Allen, to adopt. As of today there are a total of 65 properties.  
Motion carried.

**RESOLUTION #114-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Audit Expansion

RESOLVED, that the Douglas County Board of Supervisors  
accept the recommendation of the Administration Committee and approve expanding the scope of Douglas  
County's 2002 annual audit, to include the Metro Center project at an additional cost not to exceed  
\$7,000.00 to come from the Finance Department budget.

Dated this 17<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Not to exceed \$7,000.00 from Finance Department budget)

ACTION: Motion by Quam, second Hooper, to adopt. Motion carried.

**RESOLUTION #115-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Easement Granted to City of Duluth

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve granting of natural gas pipeline easement to City of Duluth on specific Douglas County land, as shown on Exhibit E-10-02, upon payment of \$3,000.00.

Dated this 17<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)  
(Fiscal Note: \$3,000.00 revenue)

ACTION: Motion by Allen, second John O'Brien, to adopt. Motion carried.

**RESOLUTION #116-02**  
**RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: Brule River State Forest Master Plan Opposed

WHEREAS, the additional acres proposed to be included in the Brule River State Forest would give the Wisconsin Department of Natural Resources the majority ownership in the Towns of Cloverland and Brule, and

WHEREAS, the only remaining areas for expanding population within these towns is to subdivide existing private parcels.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accepts the recommendation of the Forest, Parks and Recreation Committee, and opposes the Brule River State Forest boundary expansion and land acquisition plan as proposed in the Brule River State Forest Master Plan and Environmental Impact Statement.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Wisconsin Department of Natural Resources, **Senator Jauch and Representative Boyle**.

Dated this 17<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)  
(Fiscal Note: None)

ACTION: Motion by Zukowski, second Glenn, to adopt. Motion by Allen, second Hooper, to amend resolution and have it sponsored by the entire County Board, and to send it to Senator Jauch and Representative Boyle. Motion carried.

Motion by Browne, second Pleski, to suspend the rules and allow Superintendent Steve Peterson, Brule River State Forest, to address the Board. Motion carried.

Peterson clarified three main points of confusion about DNR land purchases: 1) DNR only buys from willing sellers; 2) DNR only interested in undeveloped land, vacant forest land in particular, or if the price of a parcel is 35% in improvements the DNR loses interest in it; and 3) The DNR pays the going mill rate in taxes for lands they purchase, which is payment in lieu of taxes. Value of the land will be consistent with valuation of the township. DNR is mainly interested in Managed Forest Crop Law lands. Conley asked for a breakdown of private and government ownership in the proposed extension. Peterson indicated that within the current state forest boundary, the DNR owns about 80% of the lands, 41,000 of the 50,000 acres. He elaborated on the various boundary extensions, comparing total expansion area in terms of Managed Forest Land or Forest Crop Land percentages, most of which is owned by the paper company. The state purchase process for property was reviewed. About 75% would remain open to logging. Road closings depend on type of soil and goals set for the specific areas. Discussion ensued on the County Board's involvement in this issue.

As a farmer, Liebaert stated his concern regarding the potential negative affects for making a viable living from farming, in that 6% of the farmland in Douglas County is affected. Peterson explained the intent of DNR with this plan allows for restoration of a globally rare sand/pine barrens ecosystem. K. Johnson expressed concerns of her constituents, noting that the DNR owns over 50% of land in the Town of Brule. Public comment will be received by the DNR until November 4. The DNR's policy for public input was reviewed. Proposed boundaries are in draft form and not definitive until after public input completed. Recommendations then go to Natural Resources Board.

Roger Anderson, resident of Brule, stated his opposition to the DNR's proposed land acquisition, and questioned the accurateness of the maps. Cloverland Town Chair Larry Luostari and Town of Brule Chair Dennis Smedtke requested continued County Board opposition to the master plan.

It was noted that a vote against the draft plan is not a vote against the Brule River State Forest Plan, just opposition to some sections on boundaries and land acquisition. Conley stated he will vote against the resolution opposing the draft plan. Motion to adopt the resolution, as amended, carried.

**RESOLUTION #117-02**  
**RESOLUTION BY THE FOREST, PARKS AND RECREATION COMMITTEE**

Subject: Wisconsin Conservation Corps 2003 Project Crew

WHEREAS, the Douglas County Forest, Parks and Recreation Committee has sponsored sixteen Wisconsin Conservation Corps projects, and

WHEREAS, through meaningful work experiences and training opportunities, the Wisconsin Conservation Corps program will help local unemployed young adults develop work skills, discipline, and appreciation and better understanding of the natural resources of Douglas County, and

WHEREAS, the governing body of the Wisconsin Conservation Corps does seek a resolution under adopted criteria, and

WHEREAS, the Douglas County Forest, Parks and Recreation Committee has budgeted for a crew of young adults to work on various county forest lands and projects, and

WHEREAS, the Douglas County Board of Supervisors has approved this allotment of funds to carry on the said project.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors, in regular meeting assembled, does approve obtaining and administering a Wisconsin Conservation Corps crew for forest and park projects from January 27, 2003 to January 23, 2004.

Dated this 17<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by C. Johnson, second Cosgrove, to adopt. Browne stated the committee and Forestry Department met and found there are not enough projects to support a crew at this time. Survey results from over 50 agencies calculated to 25 weeks of work, according to Richard Moore, Forestry Department Director. Motion by Browne, second Pleski, to table this resolution. Motion carried.

**RESOLUTION #118-02**  
**RESOLUTION BY THE FOREST, PARKS AND RECREATION COMMITTEE**

Subject: Forestry Department Policy for Designated Donations

WHEREAS, a number of individuals and groups have expressed an interest in making donations for future building projects, as well as maintenance of the Douglas County Wildlife Area (The Bird Sanctuary), and

WHEREAS, donations earmarked for a specific project may not be spent in the calendar year of the donation, and



WHEREAS, current accounting procedures requires that all Douglas County Forestry Department excess net revenues are to be transferred to the General Fund and thus would not be available for the purposes for which they were donated.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors supports a policy whereby Forestry Department revenues from donations designated for a specific purpose shall be retained within the Forestry Department fund balance until such time that the funds are used for that purpose.

Dated this 17<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Coletta, second James O'Brien, to adopt. Motion carried.

**RESOLUTION #119-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Data Processing Fund Balance Transfer

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and approve transfer of \$50,569.00 from Data Processing fund balance to Capital Outlay account, for purchase of Metro Center networking equipment not included in design.

Dated this 17<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Reduce Data Processing Fund balance by \$50,569.00)

(Administrative Note: Two-thirds vote of Board-elect required.)

ACTION: Motion by Martin, second Quam, to adopt. Roll call vote taken and passed with 25 Yes, 0 No, 3 Absent. Absent were Willie, W. Johnson, Shepard.

**RESOLUTION #120-02**  
**RESOLUTION BY SUPERVISORS ON THE HUMAN SERVICES BOARD AND**  
**ADMINISTRATION COMMITTEE**

Subject: Human Services Department Director Hired

WHEREAS, the Human Services Board internally requested applications for the permanent position of Director of the Human Services Department, and application was submitted by Patricia Schanen, Interim Human Services Department Director, and

WHEREAS, the Human Services Board reviewed the job performance of Patricia Schanen, Interim Human Services Department Director, conducted an interview, and determined the position be offered to her on a permanent basis.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Human Services Board and Administration Committee, and approve hire of Patricia Schanen as full time Director of the Douglas County Human Services Department, as follows:

Position Title:	Human Services Department Director
Status:	Full time, exempt
Start Date:	October 3, 2002
Compensation:	Salary: A starting monthly salary of \$5,885 (\$70,616 annually). Classification D72, Step 8+
Benefits:	\$8,000 annually includes increase in salary and benefits.

Dated this 17<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)

(Fiscal Note: \$2,000 additional benefits and salary for remainder of 2002; \$8,000 annually beginning 2003.)

ACTION: Motion by James O'Brien, second Ryan, to adopt. Motion carried. Quam abstained.

**RESOLUTION #121-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Agreement with City of Superior for  
Data Processing Services

RESOLVED, that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and approves "An Agreement Between the City of Superior and Douglas County" (Exhibit F-10-02), which provides documentation of past cooperative efforts and defines new cooperative efforts which will occur with the co-location of the Data Processing functions for the City and the County.

Dated this 17<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)  
(Fiscal Note: None)

ACTION: Motion by Hooper, second Allen, to adopt. Basic draft has been approved by the city.  
Motion carried.

**RESOLUTION #122-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Agreement Between City of Superior and Douglas County for Sharing  
Services of Law Enforcement Departments

RESOLVED, that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and approves “An Agreement Between the City of Superior and Douglas County” (Exhibit G-10-02), which provides documentation of past cooperative efforts and defines new cooperative efforts which will occur with the co-location of the Police Department and Sheriff’s Department in the Metro Center.

Dated this 17<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)  
(Fiscal Note: None)

ACTION: Motion by Pleski, second Prettie, to adopt. Brief discussion on the tradeoffs and fiscal impact.  
Motion carried.

**RESOLUTION #123-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Hazard Mitigation Grant

WHEREAS, a Planning Grant in the amount of \$53,333.00 has been approved through the Hazard Mitigation Grant Program, and

WHEREAS, the Federal Emergency Management Agency will provide 75% of the funds (\$40,000.00), Wisconsin Emergency Management will provide 12.5% (\$6,666.50), and Douglas County must provide 12.5% (\$6,666.50) as the required local match, and

WHEREAS, the purpose of the grant is to develop a pre-disaster mitigation plan, which will allow Douglas County to qualify for additional funding in the event of a disaster.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors authorizes the Emergency Management Director **and Zoning Administrator** to proceed with development of a disaster mitigation plan through the Hazard Mitigation Grant Program, with the county match of \$6,666.50 to be **primarily** derived from in-kind services, as allowable under the grant program.

Dated this 17<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)

(Fiscal Note: In-kind services of \$6,666.50. **If monetary amount is required for any part of match, funding request will be brought to the Administration Committee.**)

ACTION: Motion Pleski, second Coletta, to adopt. Motion by Glenn, second Hooper, to amend resolution as follows: 1) Third line after "Emergency Management Director" add "**Zoning Administrator**"; 2) Fifth line, insert the word "**primarily**" between the word "be" and "derived"; and 3) Fiscal Note, after \$6,666.50, add "**if monetary amount is required for any part of match, funding request will be brought to the Administration Committee.**" Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #124-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: State Employee Health Insurance Program

WHEREAS, premium increases for Douglas County health insurance plans have dramatically increased the cost of providing health insurance for Douglas County employees, and

WHEREAS, the rising cost of health insurance is a significant issue that must be addressed, and

WHEREAS, the requirement of expensive "quid pro quos" by labor contract arbitrators for health insurance cost sharing is out of touch with the current economic environment.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors urges State of Wisconsin legislators to:

1. Require state employees contribute to their health care coverage premiums;
2. Address the problems of rising health costs; and

3. Pursue changes in Section 111.70, Wisconsin Statutes, that will more closely reflect the current economic environment in relation to public employee health insurance cost sharing.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Governor McCallum, all Wisconsin legislators, and the Wisconsin Counties Association.

Dated this 17<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Hooper, second Pleski, to adopt. Motion carried.

**RESOLUTION #125-02**  
**RESOLUTION BY THE BUILDINGS AND GROUNDS COMMITTEE**

Subject: Metro Center Site Emergency and Evacuation Procedures

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Buildings and Grounds Committee and approve Site Emergency Procedures (Exhibit H-10-02), and Evacuation Procedures (Exhibit I-10-02) for the Metro Center buildings, to be incorporated into the Douglas County Manual of Personnel Policies and Procedures.

Dated this 17<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Martin, second Glenn, to adopt. Motion carried.

Motion by Hooper, second Cosgrove, to allow resolutions not on agenda. Motion carried.

**RESOLUTION #126-02**  
**RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: Support of Wisconsin DNR Permit for Murphy Oil Refinery  
Sulfur Recovery Unit Modification

WHEREAS Murphy Oil has a major economic development impact in Douglas County, providing approximately 150 direct jobs, numerous contracts for area services, countless indirect (spin-off) jobs, and taxes, and

WHEREAS Superior/Douglas County has lost hundreds of good paying jobs during the past several years, and cannot lose any additional high quality jobs, and

WHEREAS Murphy Oil has agreed to modify its sulfur recovery unit with a tail gas unit at its Superior refinery, and

WHEREAS the tail gas unit will reduce permitted sulfur emissions from 772 tons to 75 tons per year, and

WHEREAS the proposed Wisconsin DNR permit does not allow for startups, shutdowns, or malfunctions, to which the company and community take strong exception, and

WHEREAS other Wisconsin companies, including Miranp and Badger, have been granted similar permits to that which Murphy Oil is requesting.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors support a Wisconsin DNR permit that reduces sulfur emissions over six times, and also allows for startups, shutdowns, and malfunctions.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Governor McCallum, Senator Jauch, Representative Boyle, the Wisconsin DNR Board and DNR Secretary.

Dated this 17<sup>th</sup> day of October, 2002.

ACTION: Motion by Glenn, second Cosgrove, to adopt. Motion by Pleski, second Martin, to amend resolution and have it sponsored by entire County Board. Motion carried. Conley noted he agrees Murphy Oil is a great economic contributor to the county, but he does have concerns ecologically when it comes to sulfur emissions. Motion by Allen, second Quam, to suspend the rules and allow Murphy Oil Plant Manager David Podratz to address any questions the Board may have. Motion carried.

Podratz clarified that the six times decrease in emissions was calculated by Murphy Oil, and they have the best available technology in the country. The permit as presented by the DNR, does not allow for any exceptions to DNR restrictions in case of emergencies. The DNR has stated enforcement discretion will be used, but Podratz remarked that Murphy can't hang their hat on that. Permit as written now does not spell out the limitations by DNR regarding startups, shutdowns, and malfunctions. There have been four power interruptions this past year at Murphy, which is typical. So startup would be required if this happens. Murphy will be in total compliance except when conditions create unusual circumstances that would require shutdown, startup, or malfunction. Right now sulfur recovery unit recovers about 94%, and new unit will recover 99% of sulfur. The tailgas unit further cleans-up the sulfur emissions. It will begin operation in late November. Podratz reiterated that provisions for startups, shutdowns, and malfunctions

are what Murphy Oil is asking of the DNR with this type of permit, which is what other companies in the state have been provided. Term of the permit is five years. Motion carried.

**RESOLUTION #127-02**  
**RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: Brownfield Site Assessment Grant

WHEREAS, Douglas County recognizes that the remediation and redevelopment of brownfields is an important part of protecting Wisconsin's resources, and

WHEREAS, in this action the Douglas County Board of Supervisors has declared its intent to complete the Brownfield Site Assessment Grant activities described in the application if awarded funds, and

WHEREAS, Douglas County will maintain records documenting all expenditures made during the Brownfield Site Assessment Grant period, and

WHEREAS, Douglas County will allow employees from the Department of Natural Resources access to inspect the grant site or facility and grant records, and

WHEREAS, Douglas County will submit a final report to the Department which will accompany the final payment request.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors request funds and assistance available from the Wisconsin Department of Natural Resources under the Brownfield Site Assessment Grant Program and will comply with state rules for the program.

BE IT FURTHER RESOLVED that the Douglas County Clerk is authorized to act on the behalf of Douglas County to submit an application or applications to the State of Wisconsin for financial aid for Brownfield Site Assessment Grant purposes, sign documents, and take necessary action to undertake, direct, and complete approved grant activities.

Dated this 17<sup>th</sup> day of October, 2002.

(Fiscal Note: Minimum 20% match of grant request to come from reserve account previously established for this purpose)

ACTION: Motion by Quam, second Conley, to adopt. Motion by Glenn, second Cosgrove, to amend resolution and have it sponsored by entire County Board. Motion carried. Motion to adopt resolution, as amended, carried.

**ADMINISTRATIVE COORDINATOR REPORT:** Koszarek reported Court Commissioner George Glonek has been appointed Circuit Court II Judge. The Department of Human Services will begin relocation in mid-November. The building project nearing completion and changes happen daily. The transition will be done in steps, and there will be limited public access to various areas until all offices are fully in place.

**COUNTY BOARD CHAIR REPORT AND APPOINTMENTS:** Chairman Finn encouraged all Board members to attend the special budget presentation scheduled by the Administration Committee, for Tuesday, October 22<sup>nd</sup>, 6:00 p.m., Superior Public Library. 2003 Budget book will be available that evening.

Brief discussion followed on funding to complete the preferred Option B for the Communications Center, within the Metro Center budget or the Workers Compensation refund. Koszarek indicated those two figures are not known as yet.

Chairman Finn will schedule an Executive Committee meeting fairly soon. Two issues for the agenda are frequency of committee meetings and an ethics code.

The following appointments were recommended: Board of Adjustment - Richard Berthiaume, to serve out Frank Giesen's term ending January 1, 2003; Northern Waters Library Service Board of Trustees - Rhonda Tannehill, to serve out Rosemary Washkuhn's term ending in 2005. Motion by McKenzie, second Zukowski, to approve appointments. Motion carried.

### **COMMITTEE REPORTS**

Quam reported that Labor Management Committee meeting is changed to October 22, 9:30 a.m. Communications Center Board meeting will be October 21, 3:00 p.m., regarding the agreement for County managing the Communications Center. Corporation Counsel and City Attorney will review it and forward the final draft to Attorney General for review and approval. Andresen has been working on the agreement.

Coletta reported Home Health Care continues to be monitored, and even with staff hours cut, the reimbursements continue to be cut by the federal government. Final figures not known until March or April of next year. 40 or 50 new clients this year, and still serving them with staffing hours cut. Worst case scenario \$50,000 to \$100,000 in the red, unless reimbursements change.

Zukowski reported the Buildings and Grounds Committee met today, and project is on course. List of changes are being submitted and will be prioritized. Flag poles will be used from City-County Complex, saving \$1,500. Window tests were unique, and Zukowski explained the process. Naming the building is on the agenda and encouraged suggestions from Board members and citizens.



Hooper explained the Administration Committee's rationale for the special budget presentation on Tuesday at the public library, indicating the information will benefit not only the public, but provide facts and figures for Supervisors to bring back to constituents.

Browne reported Forest, Parks and Recreation Committee met and everything moving along fine. Timber sale scheduled for October 29 at 6:00 p.m. Browne reported Recreation Trail Committee meeting held and Officer Olson reported there is a great deal of damage being done with ATV's, etc.

McKenzie reported that Land Conservation Committee met and discussed stream crossing improvements, heavy use protection, manure storage, culvert replacement, culvert and embankment restoration. Farm bill is coming up and there is a need for public input from Douglas County residents so a priority list can be developed. Culvert installation workshop in Ashland on November 12. Extension office should have workshop brochures. She asked Board members to encourage their town and village officials to attend the workshop.

Pleski reported that Comm. 83 Committee has requested legal opinion from Corporation Counsel regarding moratorium on Comm 83. Corporation Counsel indicated that there is no legal mechanism for this, and in fact sanctions for noncompliance. This has frustrated the committee, and alternatives to moratorium plus other issues will be submitted for legal opinion. Committee continues to work through the language of Comm. 83.

Pleski reported City-County Committee is working on how to save money, with law enforcement the obvious are to be considered. Andresen developed a matrix on various agreements that are in place cooperatively now, and includes a page of options. Communication was sent to townships and villages in the county, asking for their support and input with respect to combining services to conserve and save tax dollars.

**APPROVAL OF BILLS AND CLAIMS:** Motion by Hooper, second Cosgrove, to approve August, 2002 and September, 2002 bills and claims. Motion carried.

**SUCH OTHER MATTERS AS AUTHORIZED UNDER THE WISCONSIN STATUTES**

Martin encouraged Supervisors to contribute to United Way. Forms are in Extension Office.

**ADJOURNMENT:** Motion by Allen, second Glenn, to adjourn. Motion carried. Meeting adjourned 8:05 p.m. Next regularly scheduled meeting - Thursday, November 21, 2002. County Board 2003 Budget Session - Tuesday, October 29, 2002, at 9:00 a.m.

Submitted by,

Susan T. Sandvick  
Douglas County Clerk

**PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS**  
**ANNUAL BUDGET MEETING**  
**Tuesday, October 29, 2002 - 9:00 a.m., City-County Complex Chambers**  
**1409 Hammond Avenue, Superior, Wisconsin**

Meeting called to order by Chairman Douglas Finn.

Pledge of Allegiance recited.

Moment of silence in respect to loss of U.S. Senator Paul Wellstone (MN), and others killed in a plane crash this week.

Roll call taken by County Clerk Susan T. Sandvick. There were 23 present, 5 absent. Absent and excused were Michael Glenn, James O'Brien, Lou Willie (arrived at 10:30 a.m.), Wes Johnson, Mark Liebaert. Waterman left at 11:30 a.m.

**PUBLIC INPUT**

Persons interested in speaking on budget items were invited to do so at this time. There were no individuals wishing to address the Board on the budget.

**RESOLUTIONS**

**RESOLUTION #128-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Transportation Services Grant

WHEREAS, Section 85.21 of the Wisconsin Statutes authorizes the Wisconsin Department of Transportation to annually grant financial aid to counties for the purposes of assisting them in providing specialized transportation services to the elderly and the disabled, and

WHEREAS, each grant must be matched with a local share of not less than 20% times the amount of the grant which is \$68,163.00, and

WHEREAS, this body considers that the provision of specialized transportation services would improve and promote the maintenance of human dignity and self-sufficiency of the elderly and the disabled.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors on this 29<sup>th</sup> day of October, 2002, authorizes the Aging Resource Center to prepare and submit to the Wisconsin Department of Transportation an application for assistance during 2003 under Section 85.21 of the Wisconsin Statutes, in conformance with the requirements issued by that Department and also authorizes the obligation of county funds in the amount of \$20,000.00 in order to provide the required local match of \$13,633.00.

BE IT FURTHER RESOLVED that the Douglas County Board of Supervisors authorizes the Aging Resource Center to execute a state aid contract with the Wisconsin Department of Transportation under Section 85.21 of the Wisconsin Statutes on behalf of Douglas County.

Dated this 29<sup>th</sup> day of October, 2002.

ACTION: Motion by Coletta, second Hooper, to adopt. Motion carried.

**RESOLUTION #129-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: New Positions and Reclassifications

RESOLVED, that the Douglas County Board of Supervisors accepts the recommendations of Administration Committee and approves the following new positions and reclassifications for 2003:

- |                   |   |
|-------------------|---|
| 1. Department:    | Buildings and Grounds   |
| Position:         | 2 Building Services Workers   |
| Request:          | New Positions   |
|                   | <b>Option: Could be contracted.</b>   |
| Cost:             | \$91,872  |
| Committee Action: | Unanimous   |
|                   |   |
| 2. Department:    | County Clerk  |
| Position:         | Clerical Reclassification   |
| Request:          | Reclassify the Office Specialist I to an Office Specialist III                                  |
| Cost:             | \$1,201   |
| Committee Action: | Unanimous   |
|                   |   |
| 3. Department:    | Finance   |
| Position:         | Payroll Specialist  |
| Request:          | Remove Payroll Specialist from union; rename Payroll Coordinator at Classification B-31, Step 2 |

- |                   |           |
|-------------------|-----------|
| Cost:             | \$2,043   |
| Committee Action: | Unanimous |
- 
- |                   |   |
|-------------------|---|
| 4. Department:    | Human Services/Finance                    |
| Position:         | Accountant/Supervisor                     |
| Request:          | Reclassify to Classification C-51, Step 8 |
| Cost:             | \$3,026                                   |
| Committee Action: | Unanimous                                 |
- 
- |                   |   |
|-------------------|---|
| (5) Department:   | Forestry  |
| Position:         | Forester  |
| Request:          | Reclassify the Forester to a GIS/Forester, Classification B31, Step 8 |
| Cost:             | \$4,036   |
| Committee Action: | Unanimous   |
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|-------------------|--|
| (6) Department:   | Human Services                               |
| Position:         | (4) Social Worker Supervisors                |
| Request:          | Increase compensable hours from 1950 to 2080 |
| Cost:             | \$15,528                                     |
| Committee Action: | Unanimous                                    |
- 
- |                   |   |
|-------------------|---|
| (7) Department:   | Human Services  |
| Position:         | Clerical Reclassification   |
| Request:          | Reclassify the Office Specialist II to an Office Specialist III (DMG Consultants reviewed the revised job duties and agreed with the requested change.) |
| Cost:             | \$966   |
| Committee Action: | Unanimous   |
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|-------------------|--|
| (8) Department:   | Human Services   |
| Position:         | Clerical Reclassification  |
| Request:          | Reclassify the Account Specialist I to an Account Specialist III (DMG Consultants reviewed the revised job duties and agreed with the requested change.) |
| Cost:             | \$647  |
| Committee Action: | Unanimous  |
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- |                 |                           |
|-----------------|---------------------------|
| (9) Department: | Human Services            |
| Position:       | Clerical Reclassification |

Request: Reclassify the Office Specialist III to an Account Specialist III (DMG Consultants reviewed the revised job duties and agreed with the requested change.)  
Cost: \$1,051  
Committee Action: Unanimous

(10) Department: Human Services  
Position: Clerical Reclassification  
Request: Reclassify the Office Specialist II to an Account Specialist II (DMG Consultants reviewed the revised job duties and agreed with the requested change.)  
Cost: \$1,038  
Committee Action: Unanimous

(11) Department: Sheriff  
Position: Office Specialist I  
Request: New Position  
Cost: \$33,371  
Committee Action: Unanimous

**Note: Management reserves the right to review the position in the department and recommend location of the position.**

(12) Department: Clerk of Courts  
Position: Court Bailiffs  
Request: Increase wage to \$7.50 hourly  
Cost: \$1,387  
Committee Action: Unanimous

(13) Department: Emergency Management  
Position: Emergency Management Coordinator  
Request: Reclassify to Classification C-42, Step 8  
Cost: \$2,490  
Committee Action: 5-2-4

(14) Department: Emergency Management/Comm. Center  
Position: Emergency Management Supervisor  
Request: New Position - Classification B31, Step 4  
Cost: \$52,868  
Committee Action: 5-2-4

(15) Department:	Treasurer
Position:	Account Specialist II
Request:	Reclassify Account Specialist II to an Account Specialist III
Cost:	\$866
Committee Action:	Unanimous

Dated this 29<sup>th</sup> day of October, 2002.

(Committee Action: As indicated above)

(Financial Note: As indicated above)

ACTION: Motion by Martin, second Cosgrove, to adopt. Pleski noted that even though it suggests that two new positions will be in the Buildings and Grounds Department, that is not hard and fast. Motion by Hooper, second Pleski, to amend the resolution and note that the two positions in the Buildings and Grounds Department could be contracted. Motion carried. Motion by Hooper, second Cosgrove, to amend resolution and add to number eleven Sheriff's Department Office Specialist I position that "Management reserves the right to review the position in the department and recommend location of the position." This is the daytime position whereby the County agreed to staff a law enforcement reception area in the new building. Motion carried. Motion to adopt resolution as amended, carried.

**RESOLUTION #130-02  
RESOLUTION BY THE ZONING COMMITTEE**

Subject: Surveyor Contract for 2003

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Zoning Committee and approve contract with Ken Olson for surveying services for the year 2003, as follows:

Contract Fee: \$700.00 per month.

Hours: 10:00 a.m. to 2:00 p.m., every Monday (except when Courthouse is closed, the following work day). Also required to attend necessary meetings.

Effective Date: January 1, 2003 - December 31, 2003

Dated this 29<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)

(Fiscal Note: \$8,400.00 within 2003 budget)

ACTION: Motion by Quam, second C. Johnson, to adopt. Motion carried.

**RESOLUTION #131-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Fee Increases for 2003

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and approve increases in the various county fees as shown on Exhibit A-10-02, effective January 1, 2003.

Dated this 29<sup>th</sup> day of October, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase in revenue)

ACTION: Motion by McKenzie, second Ward, to adopt. Motion carried.

**RESOLUTION #132-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Designation of Banking Depositories

RESOLVED that the following banking institutions:

M & I Bank  
National Bank of Commerce in Superior and Solon Springs  
F & M Bank  
Community Bank  
Security State Bank  
State Investment Pool

of the State of Wisconsin, qualified as public depositories under Chapter 34 of the Wisconsin Statutes, shall be and are hereby designated until further action, as public depositories for all public monies coming into the hands of the Treasurer of the County of Douglas, State of Wisconsin.

BE IT FURTHER RESOLVED that withdrawal of disbursements from any one of the above-named depositories shall be by order check or wire transfer as provided in Section 66.042 of the

Wisconsin Statutes and that in accordance therewith all order checks shall be signed by the following persons:

Susan T. Sandvick, County Clerk, or  
Rosanne Hoffren, Deputy County Clerk

and

Sandra J. Petzold, Treasurer, or  
Cindy Michalski, Deputy Treasurer

and shall be so honored.

BE IT STILL FURTHER RESOLVED that there will be a limit of \$5,000,000 of County of Douglas funds in any depository at any one point in time and that funds can be deposited in money markets, checking accounts, U.S. Treasury Notes, U. S. Treasury Bills, Re-purchasable agreements, Federal Home Loan Bank Bonds, and Certificates of Deposit.

BE IT STILL FURTHER RESOLVED that all financial institutions desiring to serve as public depositories for the County of Douglas must provide the following information on a quarterly basis: the profit record for the most recent quarter and a copy of the annual report; and the County of Douglas will determine the propriety of depositing money in each institution on a quarterly basis.

BE IT STILL FURTHER RESOLVED that Douglas County also maintains the following bank accounts, with authorized signatories listed:

1. One checking and one money market account at National Bank of Commerce for Clerk of Courts; Joan E. Osty and Bruce L. Kronlund, authorized signatories;
2. Douglas County Rural Housing Authority account at Superior Community Credit Union; Steve Rannenberg, Carol Johnson and Diane Zimmerman, authorized signatories;
3. Huber account at National Bank of Commerce; Tim Magnuson, Fred Linder, Angel Swanson, Julie Ruikka, Marilyn Kizlik, and Paulette Alseth, authorized signatories; and
4. Checking account at First National Bank for Register of Deeds; Kathy F. Hanson and Debora A. Prigge, authorized signatories.

BE IT STILL FURTHER RESOLVED that a certified copy of this resolution shall be delivered to each of the above-named depositories and said depositories may rely on this resolution until changed



by lawful resolution and a certified copy of such resolution has been given to the cashier of the respective above-named depositories.

Dated this 29<sup>th</sup> day of October, 2002.

ACTION: Motion by Shepard, second Quam, to adopt. Motion carried.

### **REVIEW OF 2003 DOUGLAS COUNTY BUDGET**

Finn recognized the efforts of the Administration Committee this tough budget year. He noted the budget meeting held last Tuesday at the Public Library, and thanked everyone involved in presenting a clear picture of the budget. Hooper particularly recognized the efforts of the Finance Department, as well as Wendorf and Extension Office staff who worked so diligently on the presentation. Zukowski suggested that the County scale down the elaborate budget book. Kroll explained that the budget book is distributed throughout the state, about 200 to 300 copies. The complete book is also on the county's website. Kroll indicated that this year and last year were tough to work on the levy. Copies of net costs by department were provided to Board members. State of Wisconsin has reminded Finance Departments that the state shared revenue figures are still only estimates.

On page 15, reference to second sentence, Pleski questioned the 18% for premium increase in health insurance. Kroll explained that this is the increased costs in health insurance charged to departments, and represents cost of insurance to all departments. Pleski asked why the committee had talked about 10%. Kroll responded that these figures reflect projected costs of operations. The costs were expected to increase 18%, but the premium increased 10% from last year. Kroll agreed to clarify this information and revise the statement on page 15. Total personnel costs should be covered in the budget according to Kroll. Several labor contracts settled in the past couple weeks, as well as meetings with health insurance carriers, which will help control some of these costs.

Motion by Zukowski, second C. Johnson, to suspend the rules and take up Emergency Management budget on page 162. Motion carried.

#### **Emergency Management:**

\$939,125 Total Expenses; \$34,800 Other Revenues; \$904,325 Net Cost; \$904,325 Tax Levy.

Motion by Zukowski, second C. Johnson, to adopt. Communications Center is not part of this budget. Options 1 and 2 for Communications Center will be discussed in budget separate from this. Motion carried.

#### **County Board of Supervisors:**

\$248,136 Total Expenses; Other Revenues Zero; \$248,136 Net Cost; \$248,136 Tax Levy.

Motion Coletta, second C. Johnson, to adopt. Motion carried.

**Administration:**

\$257,319 Total Expenses; \$1,000 Other Revenues; \$256,319 Net Cost; \$256,319 Tax Levy.  
Motion by Shepard, second Ryan, to adopt. Motion carried.

**Clerk of Courts:**

\$647,440 Total Expenses; \$450,199 Other Revenues; \$197,241 Net Cost; \$197,241 Tax Levy.  
Motion by Martin, second Hooper, to adopt. Motion carried.

**Circuit Court I:**

\$58,072 Total Expenses; Other Revenues Zero; \$58,072 Net Cost; \$58,072 Tax Levy. Motion  
by Cosgrove, second Ryan, to adopt. Motion carried.

**Circuit Court II:**

\$39,394 Total Expenses; Other Revenues Zero; \$39,394 Net Cost; \$39,394 Tax Levy. Motion  
by Quam, second Ryan, to adopt. Motion carried.

**Court Commissioner:**

\$102,073 Total Expenses; \$5,200 Other Revenues; \$96,873 Net Cost; \$96,873 Tax Levy.  
Motion by Robinson, second C. Johnson, to adopt. Motion by Allen, second McKenzie, to  
reduce the salary for Court Commissioner by \$6,000, which reduces the salary account by \$3,000  
and the revenue account by \$3,000. It was noted that the Court Commissioner's salary is 50%  
reimbursed by Child Support, so if the salary account is reduced, the revenue would have to be  
reduced by \$3,000. Discussion followed on the pros and cons of reducing the salary. A  
reduction of \$6,000 to \$7,000 would remain within the County's non-represented pay plan, and  
the senior judge has agreed the reduction would not impact attracting qualified candidates. Pleski  
felt the salary should be left as is because there are as yet a lot of unknowns. It was noted that the  
Court Commissioner's salary was raised this past year because of the caseload, Judge Glonek's  
quality of work, and his longevity at the position. It came to the current amount over a period of  
time. Quam did not want to see the reduction, and suggested the Administration Committee can  
make any adjustments. Roll call vote taken on motion to amend the resolution and failed with 11  
Yes, 12 No, 5 Absent. Voting Yes were Eckman, Martin, Prettie, Conley, McKenzie, Allen, K.  
Johnson, Cosgrove, Jensen, Finn, Browne. Absent were Willie, James O'Brien, W. Johnson,  
Glenn, and Liebaert. Motion to adopt carried.

**District Attorney:**

\$266,491 Total Expenses; \$61,471 Other Revenues; \$205,020 Net Cost; \$205,020 Tax Levy.  
Motion by Coletta, second Ryan, to adopt. Motion carried.

**Corporation Counsel:**

\$18,610 Total Expenses; Other Revenues Zero; \$118,610 Net Cost; \$118,610 Tax Levy. Motion by Hooper, second McKenzie, to adopt. Felker explained the significant trend upward in Child Support cases for 2002, which was due to a state mandate that percentage child support orders had to be changed to fixed dollar amounts. It had to be done by October 30<sup>th</sup>, so there was a rush to get all the cases processed. Motion carried.

**Register of Deeds:**

\$332,660 Total Expenses; \$207,350 Other Revenues; \$125,310 Net Cost; \$125,310 Tax Levy. Motion by Quam, second Ryan, to adopt. Motion carried.

**Zoning and Land Information:**

\$359,291 Total Expenses; \$127,885 Other Revenues; \$231,406 Net Cost; \$231,406 Tax Levy. Motion by Coletta, second C. Johnson, to adopt. Motion carried.

**County Clerk:**

\$296,443 Total Expenses; \$14,800 Other Revenues; \$281,643 Net Cost; \$281,643 Tax Levy. Motion by Hooper, second Cosgrove, to adopt. Motion carried.

**Treasurer:**

\$332,390 Total Expenses; \$34,075 Other Revenues; \$298,315 Net Cost; \$298,315 Tax Levy. Motion by McKenzie, second Ryan, to adopt. Motion carried.

**Sheriff:**

\$2,890,590 Total Expenses; \$372,763 Other Revenues; \$2,517,827 Net Cost; \$2,517,827 Tax Levy. Motion by K. Johnson, second Robinson, to adopt. Motion carried.

**Jail:**

\$3,478,628 Total Expenses; \$1,375,800 Other Revenues; \$2,102,828 Net Cost; \$2,102,828 Tax Levy. Motion by Coletta, second Ryan, to adopt. Hooper asked if the full cost of the staff approved to hire is in this budget. Chairman Finn explained that new hires are in this budget, but that the hiring will take place over the entire year, quarter by quarter. Pleski recollected that \$250,000 was cut from this budget, and the Sheriff had stated he would have to work on where those cuts could be made. Staffing Plan Agreement will be presented to County Board in November. Assistant Jail Administrator was put into the budget and is part of the staffing plan. Discussion followed on the \$400,000 that was approved for staffing in 2002 budget, most of which was not used and will be carried over to 2003. Allen suggested the 2003 budget be reduced by that amount as those dollars should already be somewhere in the budget. As to the significant increase in fixed charges, from \$7,000 to \$107,000, Kroll explained \$100,000 is to offset Buildings and Grounds, specifically for the jail in the new building and current jail during transition year. Extensive discussion followed on the \$400,000 in the 2002 budget for transition

and staffing of the jail. Kroll clarified the \$400,000 was premised on the fact that it would be spent on wages in 2002. If those dollars not spent, the wages for 2003 are projected as costs had the positions been filled. Had the positions been filled this year, then the budget for the positions in 2003 would have already been included. It was not premised on the fact of carrying over \$400,000. Also, if the \$400,000 was not spent entirely in 2002, those dollars could be carried over to reduce the costs in 2003. Kroll cautioned that it is likely the personnel costs overall in the Sheriff's Department will be higher than budgeted, especially in overtime area. It was made clear by several Supervisors that the \$400,000 was specifically for the ten positions approved in 2002, with rollover into 2003, and not to be used to offset any other budgetary overruns. Only two positions hired to date out of that \$400,000. Extensive discussion continued.

Discussion regarding reducing Jail budget for personnel costs for 2003 by \$300,000, and apply \$100,000 to personnel for 2002. Two issues surfaced: 1) Is the budget for 2002 going to be over; and 2) The \$400,000 set aside was strictly for hiring of new positions. Waterman asked if there is money left over in the \$400,000, and assuming a budget shortfall in 2002, does this require a transfer of funds to cover any shortage. The \$400,00 is a reserve account. K. Johnson stated strong opposition to cutting the Sheriff's Department at all. Colletta reiterated the \$400,000 was staffing only, no overruns. Kroll restated that he never said any of the \$400,000 would be used for any operations overruns. Arras noted that two people are hired as of this morning; with seven more recommended to the Sheriff for his approval. The selection process is ongoing. Total of nine people should be hired within the next two weeks. Discussion.

Motion by Allen, second Zukowski, to carryover the balance of the 2002 \$400,000 not used for jail transition staffing, and establish a 2003 reserve account within the Jail 2003 budget dedicated for jail personnel costs, and subject to release by the County Board. Pleski noted that this would increase Sheriff's budget by \$300,000 for 2003, and the budget was cut \$250,000 by Administration Committee, so this in essence is an increase of \$300,000. Allen explained his intent is to be certain that the 2003 budget is not short for personnel costs. Motion carried.

Motion by Ward, second McKenzie, to table the Jail budget to point in meeting when Sheriff is in attendance. Motion carried.

**Finance Department:**

\$390,066 Total Expenses; Other Revenues Zero; \$390,066 Net Cost; \$390,066 Tax Levy. Motion by Martin, second McKenzie, to adopt. Motion carried.

**Recycling:**

\$242,233 Total Expenses; \$104,500 Other Revenues; \$137,733 Net Cost; \$123,500 Tax Levy. Motion by K. Johnson, second Jensen, to adopt. Discussion followed on the initial intent for funding recycling as a program that would eventually be self-sustaining. It was noted that this is another of the state mandated programs, yet the state is reducing the dollars to support it. A

question was raised as to the existence of recycling programs in the various townships and villages, and brief discussion followed. There was confusion over recycling versus solid waste. Referring to page 32 of the budget book, Kroll noted there are amounts assessed for each town and village which contracts with the county for recycling/solid waste management. Some work is performed for the city which is noted on page 149. Motion carried.

Sheriff Pukema arrived 10:10 a.m., and Chairman Finn explained how the Jail budget had been amended but not yet passed, as questions arose regarding the \$400,000 item.

Motion by Pleski, second Ward, to remove 2003 Jail budget from table for consideration at this time. Motion carried.

**Jail:**

Pukema recalled the Administration Committee agreed to move forward and fully staff the jail, but cut the overall 2003 proposed budget by \$250,000. In regard to the \$400,000, Pukema agreed it was strictly for jail staff, with two hired and several more in the works. Asked if that amount would be used by the end of the year, Pukema indicated this is not likely. The Assistant Jail Administrator position listed is in error, as this was changed to the Lieutenant position some time ago. Regarding Health Contract for 2003, Pukema noted he is hopeful the figures projected will cover the needs for the jail. Some increases were incorporated into the 2003 budget, such as the increased hours from 48 to 64 per week. Nurse Practitioner services may offset costs for doctor's services in some cases. Discussion followed on the county's liability when providing medical services to inmates through contracted health care provider. Brief discussion followed.

Motion by Coletta, second Robinson, to amend budget book changing Assistant Jail Administrator position to Lieutenant of Operations, and to adopt 2003 Jail budget at \$2,102,828 tax levy. Motion carried.

**Veterans Administration:**

\$155,322 Total Expenses; \$20,825 Other Revenues; \$134,497 Net Cost; \$134,497 Tax Levy. Motion by Ward, second Pleski, to adopt. Discussion followed on whether the county is mandated to have full service office, and it was noted this is a mandate. Ward strongly advocated for the services provided to Douglas County's veterans. A question remained as to the number of full time staff needed in the office, and several supervisors agreed it may be something to review. Motion carried.

**Extension Office:**

\$430,762 Total Expenses; \$158,933 Other Revenues; \$271,829 Net Cost; \$271,829 Tax Levy. Motion by Quam, second Martin, to adopt. Motion carried.

**Medical Examiner:**

\$95,955 Total Expenses; \$8,050 Other Revenues; \$87,905 Net Cost; \$87,905 Tax Levy. Motion by Zukowski, second Robinson, to adopt. Brief discussion followed. Motion carried.

**Buildings and Grounds Department:**

\$523,979 Total Expenses; \$161,000 Other Revenues; \$362,979 Net Cost; \$362,979 Tax Levy. Motion by Coletta, second Ryan, to adopt. Motion carried.

**Probate:**

\$161,712 Total Expenses; \$60,000 Other Revenues; \$101,712 Net Cost; \$101,712 Tax Levy. Motion by Ryan, second McKenzie, to adopt. Motion carried.

10:30 a.m. meeting recessed for a 15 minute break. Meeting reconvened at 10:45 a.m.

**Surveyor:**

\$55,291 Total Expenses; Other Revenues Zero; \$55,291 Net cost; \$55,291 Tax Levy. Motion by Eckman, second Hooper, to adopt. Motion carried.

**Land Committee/Developmental:**

\$613,424 Total Expenses; \$390,343 Other Revenues; \$223,081 Net Cost; Tax Levy Zero. Motion by C. Johnson, second Zukowski, to adopt. Motion by Coletta, second Hooper, to amend budget as follows: 1) Municipal Grants and Contributions should be \$10,000; and, 2) "Business Incubation Center" should be deleted and replaced with "Special Projects". Does not affect levy, and lowers the expenses. It was clarified that the \$5,000 Special Projects dollars need be approved only by the Land and Development Committee. Motion carried.

Motion by Browne, second Quam, to amend budget and add appropriation of \$5,143 for Tri County Corridor Commission, contingent on the other two counties' contributions of like amounts. Motion carried.

Ward expressed concern over the Historical Society contribution cut, in light of the offices moving and need for staffing dollars. Motion by Ward, second McKenzie, to amend the budget and increase Historical Society contribution by \$2,500 returning it to the \$15,000 budget provided last year. Discussion followed on relationship and lease between Historical Society and Superior Public Museums. Pleski recommended leaving the Historical Society budget as is, in that there are other organizations hurting as well, such as Humane Society. Motion to amend budget increasing Historical Society contribution by \$2,500 failed.

Brief discussion on Capitol Consultants, Development Association, and Chamber regular reports followed. Chairman Finn agreed to request additional reports from these organizations for Board members. Allen asked where the \$400,000 transition costs for move into the new buildings is

shown. Kroll indicated a reserve account will be set-up at the end of the year. The \$400,000 had been reduced by \$114,880 which was put into the Buildings and Grounds budget for transition costs. On the summary sheet received today on the Land Improvement Account, the \$400,000 is included in that budget. Kroll can incorporate that summary sheet into the budget. Doucette explained the reserve account process. Motion by Allen, second Hooper, to amend budget establishing a line item for the \$400,000 for transition costs. Motion carried.

Chairman Finn asked Kroll to review the Industrial Park fund activity, and to provide feedback as informational item for Board members. Kroll will have city give him a report on total activity of that account for the last five years.

Motion to approve Land Committee/Developmental budget as amended, to reflect \$218,224 net cost. Motion carried.

**Non-Departmental Taxes:**

\$53,997 Total Expenses; (\$254,000) Other Revenues; \$307,997 Net Cost; \$307,997 Tax Levy. Motion by Hooper, second C. Johnson, to adopt. Discussion followed on the 2003 contingency fund set at \$90,000, which was an increase of \$30,000. Motion by Allen, second Quam, to amend budget and reduce contingency by \$30,000. Motion carried.

Cost of City Library increased from \$230,000 to \$258,016, and K. Johnson clarified that the state formula has to be used as mandated and this is where the increases came from. There is a list of patronage at the Solon Springs branch. The City of Superior cut the library budget for the upcoming year, and the question was asked if this would come down on the County. Brief discussion followed on library card procedures and policies. Motion to adopt budget as amended, for a Net Cost of \$277,997 and Tax Levy of \$277,997, carried.

**Human Services:**

\$17,462,289 Total Expenses; \$15,021,620 Other Revenues; \$2,440,669 Net Cost; \$2,292,572. Motion by Conley, second Ryan, to adopt. Motion carried.

**Child Support:**

\$858,737 Total Expenses; \$858,737 Other Revenues: Net Cost Zero; Tax Levy Zero. Motion by McKenzie, second Martin, to adopt. Motion carried.

**Aging Resources:**

\$559,323 Total Expenses; \$393,440 Other Revenues; \$165,883 Net Cost; \$165,883 Tax Levy. Motion by Quam, second Ryan, to adopt. Motion carried.

**Health:**

\$1,966,140 Total Expenses; \$1,143,718 Other Revenues; \$822,422 Net Cost; \$822,422 Tax Levy. Motion by Coletta, second C. Johnson, to adopt. Terrorism grant dollars Memorandum of Understanding approved, but contracts with state not signed as yet. Projected revenue estimate is \$25,000. Motion by Allen, second Hooper, to amend resolution and increase revenue in Health Department by \$20,000 representing anticipated terrorism grant dollars. Motion carried. Motion to adopt budget, as amended, \$802,422 Net Cost; \$802,422 Tax Levy, carried.

**Forestry:**

\$1,477,901 Total Expenses; \$1,477,901 Other Revenues; Net Cost Zero; Tax Levy Zero. Motion by C. Johnson, second Cosgrove, to adopt. Discussion evolved on revisiting the \$500,000 reserve account and reducing it by \$100,000, due to concerns that the projected revenue is too high should a drop in prices for forest products occur, or drop in forest product production, etc. Motion by Zukowski, second C. Johnson, to reduce Forestry Department revenue by \$100,000, to reflect \$400,000 total. Discussion on the history of that revenue account and how it affects the levy. The current policy allows for \$250,000 or \$300,000 in the reserve account. Moore indicated that a lot of the figures are attainable, but wants Board members to keep in mind that a logging industry is dynamic. He stated he is comfortable with \$400,000 and apprehensive with the \$500,000. As of September 30<sup>th</sup> there is \$595,000 to the good, and expected year end will probably be somewhere between \$525,000 to \$550,000. There was concern by some Board members, as to how reducing this revenue estimate would affect levy. Zukowski advocated for the reduction. Kroll reviewed the revenue figures from 1999 to latest 2002 totals, and stated he felt the \$500,000 was realistic. Motion to amend budget failed. Motion to adopt Forestry Department budget as presented carried.

**Highway:**

\$5,059,861 Total Expenses; \$2,572,039 Other Revenues; \$2,487,822 Net Cost; \$2,487,822 Tax Levy. Motion by Shepard, second John O'Brien, to adopt. Motion carried.

**Central Supply:**

\$186,789 Total Expenses; \$186,789 Other Revenues; Net Cost Zero; Tax Levy Zero. Motion by McKenzie, second Hooper, to adopt. Motion carried.

**Workers Compensation:**

Net effect is zero for all revenue and expenses. Motion by Quam, second Shepard, to adopt at net cost of zero. Motion carried.

**Data Processing:**

\$36,220 Total Expenses; \$36,220 Other Revenues; Net Cost Zero; Tax Levy Zero. Motion by Hooper, second Cosgrove, to adopt. Motion carried.



**Health Insurance:**

\$685,248 Total Expenses; \$685,248 Other Revenues; Net Cost Zero; Tax Levy Zero. Motion by Martin, second Coletta, to adopt. Motion carried.

**Land Records:**

\$218,120 Total Expenses; \$96,299 Other Revenues; \$121,821 Net Cost; \$121,821 Tax Levy. Motion by C. Johnson, second Coletta, to adopt. Motion carried.

**Debt Service:**

\$2,512,255 Total Expenses; \$243,115 Other Revenues; \$2,269,140 Net Cost; \$2,269,140 Tax Levy. Motion by Coletta, second Pleski, to adopt. Motion carried.

**Direct Tax Relief:**

Total Expenses Zero; \$6,348,514 Other Revenues; (\$6,348,514) Net Cost; (\$6,348,514) Tax Levy. Kroll indicated that sales tax and state shared revenues are broken down separately on page 44. Motion by Coletta, second Quam, to adopt direct property tax relief to include a breakdown of sales tax, state shared revenues and other in the adopted budget. Kevin Peterson asked if there will be a line reflecting the levy of \$13.8 million instead of \$11.3 million. Kroll explained how the sales tax, state shared revenue, and other items that directly offset the cost of services are normally listed in the budget. Peterson contended that the county treat the sales tax as a revenue as opposed to credit, and that it be applied per the ordinance. After brief discussion and Finance Director Kroll’s explanation, Hooper indicated that the Board follow the Finance Department’s professional advice. Tax levy by definition is \$11.8 million, and does reflect reduction in sales tax. Kroll agreed to break these into separate subtotals in adopted budget. Motion carried.

**RESOLUTION #133-02  
RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Special Charges Levy

RESOLVED that the Douglas County Board of Supervisors levy the sum of \$412,750.00 as apportioned on taxable property in Douglas County for the year 2002, for the purpose of paying special charges in 2003, as follows:

Recycling/Solid Waste Management	\$ 115,183.00
County Aid to Bridges	39,551.00
Superior Library	<u>258,016.00</u>

Total 2002 Special Charges

\$ 412,750.00

Dated this 29<sup>th</sup> day of October, 2002.

ACTION: Motion by C. Johnson, second Coletta, to adopt. Motion carried.

**RESOLUTION #134-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: General Property Tax Levy

RESOLVED that the Douglas County Board of Supervisors levy the sum of ~~\$11,328,241.00~~ **\$11,298,241.00** (\$412,750.00 for special charges; ~~\$10,915,491.00~~ **\$10,865,491.00** for all other taxes) as apportioned on taxable property in Douglas County for the year 2002, for the purpose of paying general property taxes in 2003.

Dated this 29<sup>th</sup> day of October, 2002.

ACTION: Motion by Coletta, second C. Johnson, to adopt. Motion by McKenzie, second Martin, to amend the resolution changing "\$11,328,241.00" to "**\$11,298,241.00**", and "\$10,915,491.00" to "**\$10,865,491.00**". Motion carried. Motion to adopt resolution as amended, carried.

**RESOLUTION #135-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Budget for 2003

RESOLVED that the Douglas County Board of Supervisors approve the sum of ~~\$44,112,286.00~~ **\$44,077,429.00** (~~\$43,533,812.00~~ **\$43,498,955.00** for operating expenditures; \$578,474.00 for capital outlay) as the budget for all departments for the year 2003.

Dated this 29<sup>th</sup> day of October, 2002.

ACTION: Motion by Hooper, second C. Johnson, to adopt. Motion by Hooper, second Zukowski, to amend resolution changing "\$44,112,286.00" to "**\$44,077,429.00**", and "\$43,533,812.00" to "**\$43,498,955.00**". Motion carried. Motion to adopt resolution as amended, carried.

Motion by Zukowski, second McKenzie, to allow resolution not on agenda. Motion carried.

**RESOLUTION #136-02**  
**RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: Sale of Surplus Furniture and Equipment in Human Services Department

WHEREAS, the Human Services Department is scheduled to move into the new facility around November 15, 2002, and

WHEREAS, there exists furniture and equipment that the Human Services Department has determined will not be utilized in the new facility and are rendered surplus property, and

WHEREAS, the cost of storing the property or moving the property to the new Human Services Department offices until such time as a county-wide surplus property auction is conducted is not cost-effective.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors authorizes disposal of the property in the following manner:

- 1) The Human Services Department will make arrangements to have each surplus item labeled as such, at least one week prior to move to new facility, and the items will remain at the Lakehead Building;
- 2) Items will be first offered to County departments free of charge, for use in those departments;
- 3) Items not selected by departments will be disposed of through advertised public sale following the Human Services Department move into the new facility;
- 4) The Human Services Director, or her designee, will administer the public sale, with the authority to contract for professional sale services, to be held at the Lakehead Building, prior to December 1, 2002; and
- 5) Items remaining after the sale will be disposed of as determined by the Human Services Director to be the most efficient and cost-effective.
- 6) **Any proceeds from the sale and any rebates from Emmons Office Interiors for the Human Services Department furniture be deposited into the transition fund.**

Dated this 29<sup>th</sup> day of October, 2002.

ACTION: Motion by Zukowski, second Martin, to adopt. Motion by Zukowski, second Hooper, to amend resolution to have it sponsored by entire County Board. Motion carried. Motion by Zukowski, second Hooper, to amend resolution to state that "Any proceeds from the sale and any rebates from Emmons Office Interiors for the Human Services Department furniture be deposited into the transition fund." Motion carried. Motion to adopt resolution as amended, carried.

As an informational item only, County Clerk Sandvick informed the Board that the County took 38 properties, 13 improved and 25 unimproved.

**ADJOURNMENT:** Motion by Ward, second McKenzie, to adjourn. Motion carried. Adjourned at 12:00 noon. Next regularly scheduled meeting - Thursday, November 21, 2002.

Submitted by,

Susan T. Sandvick  
Douglas County Clerk

**PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS  
Thursday, November 21, 2002, 6:00 p.m., City-County Complex Chambers  
1409 Hammond Avenue, Superior, Wisconsin**

Meeting called to order by Chairman Douglas Finn.

Pledge of Allegiance recited.

Roll call taken by County Clerk Susan T. Sandvick. There were 25 present, 3 absent/excused: Absent/Excused were Carl Zukowski (arrived 6:05 p.m.), James O'Brien, James Cosgrove.

Motion by McKenzie, second Shepard, to approve minutes of the October 17, 2002 meeting. Motion carried.

**CLAIMS AGAINST THE COUNTY**

Summons and Complaint by Shawn M. Dunlevy, as attorney for Republic Bank, Inc., regarding replevin and foreclosure of mortgage against Husky Rustic Siding Company, et. al., of which Douglas County may claim an interest in real estate or personal property as a result of this action. Referred to Corporation Counsel.

Claim for Damages by Jason W. Whitley, as attorney for Lynn Patty Edwards, alleging negligence by Douglas County Sheriff's Department which contributed to death of Dennis Edwards, Sr. Referred to Corporation Counsel.

**CORRESPONDENCE**

1. American Transmission Company, summary report of 10-Year Transmission System Assessment. Referred to Land and Development Committee and Environment, Agriculture and Extension Committee.

2. Department of Revenue, procedure for state law mandates waiver application. Referred to all standing committees.
3. Wisconsin County Mutual Insurance Corporation, notice of deductible fund refund to Douglas County for the current year. Referred to Administration Committee.
4. Department of Natural Resources, notice of preliminary determination on air pollution control permit for Murphy Oil USA, Inc., to operate air contaminant source in Superior. Referred to Environment, Agriculture and Extension Committee.
5. Russ's Cleaning Service, letter regarding cleaning contract for Douglas County buildings. Referred to Buildings and Grounds Committee.
6. Department of Health and Family Services, notice of payment to Douglas County for various program contracts. Referred to Human Services Board and Board of Health.
7. Drift Dodgers Snowmobile Club, requesting additional Recreational Officers to patrol Douglas County. Referred to Law Enforcement Committee and Recreational Trail Committee.
8. Power Engineers, notice of suspension of property surveys on Douglas County lands by Arrowhead to Weston Transmission Line Project. Referred to Land and Development Committee and Forest, Parks and Recreation Committee.
9. International Union of Operating Engineers, letter of thanks from Murphy Oil employees for support at October 3, 2002 public hearing. Received and placed on file.
10. Department of Natural Resources, notice of proposed grading application by Hallet Dock Company, for permit to grade on bank of St. Louis River. Referred to Land and Development Committee and Environment, Agriculture, and Extension Committee.
11. Northern Waters Library Service, request to renew appointment of Kathryn McKenzie on NWLS Board of Trustees, January 1, 2003 to December 31, 2005. Referred to County Board Chair.
12. Williams Young, LLC, announcement of WCA sponsored seminar on GASB 34, December 3<sup>rd</sup> and 5<sup>th</sup>. Received and placed on file.
13. Northwest Regional Planning Commission, 2002 Comprehensive Economic Development Strategy. Received and placed on file.
14. Green Lake County, resolution to support legislation increasing fees for Register of Deeds documents. Received and placed on file.

15. Department of Revenue, notice of November distribution of shared revenues, SMSR and expenditure restraint for Douglas County. Referred to Administration Committee.
16. Department of Natural Resources, notice of assessment share on wood products cut from Douglas County forest lands. Referred to Forest, Parks and Recreation Committee.
17. Department of Natural Resources, Air Pollution Control Permit Significant Revision for air contaminant source at 41 Dock Street, Superior, and operated by Cenex Harvest States Cooperative. Referred to Environment, Agriculture and Extension Committee.
18. Ed and Gail Schlais, thank you for assisting with locating appropriate agencies/individuals to help solve ground loss, and potential home loss in Oliver. Received and placed on file.
19. Jackson County, resolution supporting state and federal funding for Teen Court Programs. Referred to Judiciary, Legislative and Veterans Committee.

Correspondence not on agenda:

20. Jefferson County, resolution urging legislation be enacted requiring use of vehicle seat belts and enforcement of safety belt law on standard basis. Referred to Law Enforcement Committee and Judiciary, Legislative and Veterans Committee.
21. Department of Natural Resources, notice of permit for U.S. Army Corps of Engineers to repair retaining wall at Superior entry on bed of St. Louis River. Received and placed on file.
22. Wisconsin Counties Association, notice of November 18<sup>th</sup> meeting on refinancing counties' unfunded prior service liability related to WRS. Referred to Administration Committee.
23. Department of Natural Resources, notice of intent to reissue pollutant discharge elimination system permit to Village of Solon Springs. Referred to Environment, Agriculture and Extension Committee.
24. U.S. Army Corps of Engineers, notice of availability of environmental assistance to non-Federal interests in northern Wisconsin. Referred to Environment, Agriculture and Extension Committee.
25. Rich and Sally Thompson, Foxboro, recommendation of improvements for multipurpose building at fairgrounds. Referred to Land and Development Committee.
26. Public Service Commission, notice of telephonic hearing, December 4, regarding Superior Water, Light and Power Company changing method of cost recovery for public fire protection service. Referred to Corporation Counsel.

## **PRESENTATIONS**

James Litwin, Construction Manager, progress report on Metro Center project. Litwin reported Building A is substantially complete. 3<sup>rd</sup> and 4<sup>th</sup> floors turned over to the owner. Human Services ready to move into 4<sup>th</sup> floor. The rail system will be discussed at a meeting next Tuesday. Building B progressing well. State Inspector approved elevator today.

Jon Scheldroup, Director, Veterans Services, reviewed programs and services provided to veterans. Scheldroup recognized the Veterans Clinic as a real asset for veterans in Douglas County. Van transportation is provided for those veterans needing specialty care in Minneapolis, for an average of 1000 trips per year. Veterans burial area at Greenwood has been well maintained, and on Memorial Day 5000 flags put on graves. Disability payments last year totaled over \$5.0 million. Total amount of medical care received by Douglas County Veterans was \$4,209,000. Chair Finn thanked Scheldroup for his work and presentation.

## **ORDINANCES**

### **AMENDMENT TO ORDINANCE #8.0 ZONING ORDINANCE PRESENTED BY THE ZONING COMMITTEE**

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF DOUGLAS DOES ORDAIN AS FOLLOWS:

WHEREAS, the Douglas County Zoning Committee held a public hearing on November 14, 2002, on the following petitions for amendment of the county zoning district ordinance map:

- (1) The SW1/4 of the SW1/4, Section 33, T46N-R15W, Town of Summit, from the F-1: Forestry zoning district to the A-1: Agriculture zoning district, by David J. & Mary B. Koski, 9584 S. Foxboro-Chaffey Road, Foxboro, Wisconsin. Intended use: Agriculture;
- 2) The SW1/4 of the NE1/4, Section 12, T45N-R15W, Town of Summit, from the R-2: Residential zoning district to the A-1: Agriculture zoning district, by Rand & Judy Harris (owners), Reedsville, Wisconsin, and Benjamin & Kristyn Williams (agents), 2213 E. Summit Trail, Foxboro, Wisconsin. Intended use: Agriculture/horses.
- 3) Part of the NE1/4 of the NW1/4, Section 5, T45N-R10W, Town of Highland, from the F-1: Forestry zoning district to the R-2: Residential zoning district, by Tom & Karen Sandmon, P.O. Box 103, Lake Nebagamon, Wisconsin. Intended use: Residential/mobile home.

WHEREAS, proof of publication of the notice of the public hearing, proof of giving notice to the town clerks of the hearing, and correspondence from the towns is as shown on Exhibit A-11-02.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Zoning Committee and approve the petitions.

BE IT FURTHER RESOLVED that the County Clerk notify the town clerks of the action.

Dated this 21<sup>th</sup> day of November, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by C. Johnson, second Ryan, to adopt. Motion carried.

**AMENDMENT TO ORDINANCE #2.0  
CIVIL SERVICE ORDINANCE  
PRESENTED BY THE LAW ENFORCEMENT COMMITTEE AND THE  
ADMINISTRATION COMMITTEE**

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF DOUGLAS DOES HEREBY ORDAIN AS FOLLOWS:

SECTION I. DECLARATION OF POLICY

This ordinance is intended to provide that ~~deputy sheriffs' and jailers'~~ **Deputy Sheriff, Jail Administrator and Jailer** positions shall be filled by appointment by the sheriff from a list of candidates who shall have received the highest ratings in the competitive examination. That candidates selected shall establish residency and domicile in Douglas County within thirty (30) days of permanent hiring and that residency and domicile in Douglas County continue during employment. Exceptions to the residency requirement will be made on a case by case basis per the County policy. That such competitive examination shall be conducted by the Civil Service Commission, hereinafter set forth, all in accordance with the Statutes of Wisconsin.

SECTION II. CIVIL SERVICE COMMISSION

A. There is hereby re-established a County Civil Service Commission for the Sheriff's Department charged with the duty of conducting competitive examinations for candidates for ~~deputy sheriff and jailers~~ **Deputy Sheriff, Jail Administrator and Jailer** as hereinafter provided.



#### SECTION IV. QUALIFICATIONS

7. Applicants for deputy and jailer positions will be exempt from taking the entry-level exam if they have met the Civil Service Ordinance requirements of a previous employer and/or are jail certified or law enforcement certified by the State of Wisconsin.

#### SECTION V. CERTIFICATION PROCESS

A. The candidates for the office of ~~deputy sheriff jailer~~ **Deputy Sheriff, Jail Administrator or Jailer** shall file an application, in writing, with the Personnel Department of Douglas County, on forms furnished by the Department. The applications should include a copy of transcripts showing the required education and the applicant's driver's license number. Applicants who may wish to receive Veteran's preference added to their final score should submit documentation showing their Veteran's status. The ~~Personnel~~ **Human Resources** Department shall screen the applications to determine if the applicants have demonstrated they have met the qualifications.

#### SECTION VI. APPOINTMENT

A. When an opening occurs it will be the responsibility of the Sheriff to notify the ~~Personnel~~ **Human Resources** Department by submitting a staffing requisition form and a current job description to the ~~Personnel~~ **Human Resources** Department.

B. The ~~Personnel~~ **Human Resources** Department will schedule interviews with the five (5) highest persons on List #1 and List #2. The ranking on List #2 will be determined by the entry on duty date from their most recent law enforcement position with their most recent employer. The Sheriff's Department will notify the members of the Civil Service Commission of the interview date. The interviews will be conducted by a representative of the ~~Personnel~~ **Human Resources** Department, the Sheriff or his/her designee and shall include a member of the Civil Service Commission. In some instances interviews will include others familiar with the knowledge, skills and abilities required for the position. From these five (5) applicants the Sheriff shall make a conditional job offer contingent upon passing physical, psychological and background tests. This conditional offer will be made by the Sheriff upon the recommendations from the ~~Personnel~~ **Human Resources** representative and/or others involved in the hiring process. In the case of appointment of Jailers, the Sheriff may select from the top five (5) of a specific gender when gender is a bona fide qualification. The Sheriff shall discuss with the ~~Personnel~~ **Human Resources** Department those cases when gender may be a bona fide qualification.

C. The ~~Personnel~~ **Human Resources** Department will schedule both physical and psychological exams for the applicant. The physical exam may include a drug test which conforms to state statutes and/or regulations. The Sheriff or the Sheriff's staff will conduct a criminal background check on the applicant and file a written report with the ~~Personnel~~ **Human Resources** Department. If the candidate fails any one

of these background tests, the conditional offer will be withdrawn and the applicant's name will be withdrawn from the list of eligible candidates.

D. If the applicant successfully passes all the required background tests a confirmation appointment letter will be sent by the ~~Personnel~~ **Human Resources** Department to the applicant. A copy of the appointment letter will be provided to each member of the Civil Service Commission.

E. All new ~~deputies and jailers~~ **Deputies, Jail Administrators and Jailers** appointed under this ordinance shall be deemed on probation for the first twelve (12) months or a length of time consistent with the current labor agreement of their appointment and may be discharged by the Sheriff or Civil Service Commission at any time before the termination of the probationary period.

F. Promotion to the rank of Sergeants will be from the ranks of those deputies employed full time with a minimum of three (3) years experience on the first date of the posting for the vacancy. The County and the Sheriff may add additional job related qualifications for the position of Sergeants. Candidates for promotion must submit a completed application form to the ~~Personnel~~ **Human Resources** Department. The vacancy will be filled by interviews conducted by a representative of the ~~Personnel~~ **Human Resources** Department and the Sheriff and/or his/her designee. The Sheriff in consultation with the ~~Personnel~~ **Human Resources** Department may use other testing procedures approved by the Civil Service Commission to determine the relative qualifications of the candidates. The Sheriff shall make the selection from not more than the highest three names certified.

Addendum: Due to the anticipated staffing issues for the new jail, the Civil Service Commission hereby grants a waiver to the (3) years of experience required to be eligible for promotion to a Sergeant position. This waiver will sunset August 2, 2004.

G. Promotions to the rank of Lieutenant will be from the ranks of those persons having at least 10 years of continuous service. The County and the Sheriff may add additional job related qualifications for the position of Lieutenant. Candidates for promotion must submit a completed application form to the ~~Personnel~~ **Human Resources** Department. The vacancy will be filled by interviews conducted by a representative of the ~~Personnel~~ **Human Resources** Department and the Sheriff and/or his/her designee. The Sheriff in consultation with the Personnel Department may use other testing procedures approved by the Civil Service Commission to determine the relative qualifications of the candidates.

## SECTION VII. TERM

Deputy sSheriffs, **Jail Administrators** and jJailers appointed in conformity with the provisions of this ordinance shall hold office on good behavior and efficiency and shall not be dismissed from such office or suspended except as provided in this ordinance.

## SECTION VIII. SUSPENSION, DEMOTION OR DISMISSAL

A. For the purposes of this section and Section 59.21(8) of the Wisconsin Statutes the Douglas County ~~Personnel~~**Administration** Committee is hereby designated as the Grievance Committee. The Grievance Committee members shall be paid in the same manner as members of other County Board committees.

B. Whenever the Sheriff, Chief Deputy or a majority of the members of the Civil Service Commission believes that a deputy has acted so as to show the deputy to be incompetent to perform the duties of Deputy Sheriff or to have merited suspension, demotion or dismissal, the Sheriff, Chief Deputy or Civil Service Commission shall report in writing to the Grievance Committee, with a copy to the ~~Personnel~~**Human Resources** Department, setting forth specifically the complaint against the deputy. The Grievance Committee shall forthwith notify the accused officer of the filing of the charges and on request furnish the accused officer with a copy of the same.

C. When the party filing the complaint is the Sheriff or Chief Deputy, he or she may suspend with pay or demote the officer at the time such complaint is filed. The officer may request a hearing before the Grievance Committee in writing with notice to the Chairman of the Grievance Committee or the Douglas County ~~Personnel~~**Human Resources** Department. The Grievance Committee shall, if the officer requests a hearing, appoint a time and place for the hearing of the charges, the time to be within three weeks of the filing of such request for hearing and the Committee shall notify the Sheriff or Chief Deputy or the members of the Civil Service Commission, whichever filed the complaint with the Committee, and the accused of the time and place of such hearing. If the accused officer makes no request to the Grievance Committee, the Committee may take whatever action it deems justifiable on the basis of the charges filed and shall issue a written order to be filed with the ~~Personnel~~**Human Resources** Department. The Committee may take testimony at the hearing and any testimony shall be transcribed. The Chairperson of the Committee shall issue subpoenas for the attendance of such witnesses as may be requested by the accused.

D. At the termination of the hearing the Grievance Committee shall determine in writing whether or not the charge is well-founded and shall take such action by way of suspension, demotion, discharge or reinstatement as it may deem requisite and proper under the circumstances and file the same with the Douglas County ~~Personnel~~**Human Resources** Department. Such actions shall be determined by a majority vote of the members present, cast by secret ballot, excepting that any action ordering dismissal shall require an affirmative vote of four-fifths of the members-elect.

## SECTION X. GENERAL PROVISIONS

A. No person holding office of ~~d~~**Deputy Sheriff**, **Jail Administrator** or ~~j~~**Jailer** under this ordinance shall be employed in any other capacity and shall not secure temporary employment, unless such employment has been approved by the Sheriff, and no person covered by this ordinance shall be employed or have an interest in any business selling liquor or fermented malt beverages, either wholesale or retail.

F. A former ~~d~~Deputy ~~s~~Sheriff, **former Jail Administrator** or **former j**Jailer may make application for a position of deputy sheriff or jailer but only upon complying with all provisions of this ordinance, and in such cases, shall be considered as an applicant only, with no rights having accrued because of his previous employment as ~~d~~Deputy ~~s~~Sheriff, **Jail Administrator** or **j**Jailer .

#### SECTION XIV. CHIEF DEPUTY POSITION

F. Application for position: Candidates for the position of Chief Deputy shall file an application in writing with the ~~Personnel~~ **Human Resources** Department of Douglas County, on forms provided by the Department.

G. Qualifications: To be eligible to apply for the position of Chief Deputy the applicant shall:

2. Oral Examination by Examination Panel: The applicants who have the top five passing grades on the written exam shall be eligible to take the oral examination. The Examination Panel shall be made of not more than 5 individuals selected by the Civil Service Commission to score the candidates. The Examination Panel shall use a structured interview approach and written documentation of interviewer ratings shall be maintained and filed with the ~~Personnel~~ **Human Resources** Director. All interview questions shall be job-related. The score shall be given a weight of 45% of the total score.

J. Appointment: The Sheriff shall select from the applicants with the top three composite scores. A conditional job offer contingent upon passing physical, psychological, and background tests and will be made by the Sheriff. The physical and psychological tests will be scheduled by the ~~Personnel~~ **Human Resources** Department. If the candidate fails any of the background tests, the conditional offer will be withdrawn and the applicant's name will be withdrawn from the list of eligible candidates. If the applicant successfully passes all the required background tests a confirmation letter will be sent by the ~~Personnel~~ **Human Resources** Department.

**Create new section:**

#### SECTION XV. **JAIL ADMINISTRATOR POSITION**

**A. Creation: Effective January 1, 2003, the position of Jail Administrator within the Sheriff's Department under the civil service process is created. The selection of the person to fill the position shall be made on the basis of competitive examination and will be given civil service status the same as any other position covered under the Douglas County Civil Service Ordinance.**

**B. Tenure: The Jail Administrator will be subject to all the provisions of the Civil Service Ordinance.**

**C. Salary:** The salary of the Jail Administrator shall be established by the Douglas County Board of Supervisors, and the Human Resources Department's non-represented pay plan.

**D. Duties:** Duties for the Jail Administrator shall be included in a job description which can be amended as necessary or needed.

**E. Application for Position:** Candidates for the position of Jail Administrator shall file an application in writing with the Human Resources Department of Douglas County, on forms provided by the Department.

**F. Qualifications:** To be eligible for the position of Jail Administrator, the applicant shall have at a minimum:

- (1) Possession of a valid Wisconsin driver's license or ability to obtain a valid Wisconsin driver's license within six (6) months of being appointed; and
- (2) A Bachelor's Degree in Behavioral Science or related field, and four years in a Coordinator/Supervisory position in a city, county, state, or federal criminal justice agency or detention center/facility; or
- (3) An Associated Degree in a closely related field and a minimum of six years experience in a city, county, state, or federal criminal justice agency or detention center/facility; and

**G. Rank:** The Jail Administrator shall have the rank of Captain.

Dated this 21<sup>st</sup> day of November, 2002

(Committee Action: Unanimous)

(Fiscal Note: None)

(Administrative Note: Three-fourths vote of Board-elect required)

**ACTION:** Motion by Quam, second Glenn, to adopt. Pleski noted he was not able to attend last Administration Committee meeting, but did send correspondence questioning the rationale for having Jail Administrator under Civil Service. Quam stated one reason is job protection, as the position is appointed by the Sheriff. This was recommended by Civil Service Commission, Human Resources staff and Sheriff Pukema. The position will now require testing. Pleski indicated he views these positions as being management or leadership positions, where more than objective standards are used in evaluating candidates. Brief discussion. Motion by McKenzie, second Quam, to amend XV. F (2) and (3), inserting

“city, county, or federal” to type of criminal justice agency or detention center/facility. Motion carried. Motion to adopt ordinance as amended, carried.

### **PLAT APPROVALS**

Approval of “Smeardon’s Addition” Plat, Town of Amnicon. Motion by C. Johnson, second Liebaert, to approve. Motion carried.

### **RESOLUTIONS**

Motion by Hooper, second Zukowski, to suspend rules and take up Resolution #152-02. Motion carried.

#### **RESOLUTION #152-02 RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Contract for Employee Benefit Program Services

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and enter into a contract for services with Sauter Fairchild, Inc., relating to Douglas County’s employee benefit program (as described in Exhibit F-11-02), for a 12 month period, at a cost of \$1,000.00 per month.

Dated this 21<sup>st</sup> day of November, 2002.

(Committee Action: Unanimous)  
(Fiscal Note: \$12,000.00 within budget)

**ACTION:** Motion by Allen, second Willie, to adopt. Chair Finn indicated that after many inquiries on this resolution and consultation with Assistant Corporation Counsel Lovejoy, the legal opinion is that the resolution cannot be amended to reflect a change in vendor at this meeting. Lovejoy explained that, because the naming of the provider is fundamental to the resolution, the Board has the following options on the resolution as presented: 1) Adopt; 2) Reject; 3) Table; 4) Refer to committee with power to act; or 5) Schedule a special County Board meeting for this item. It needs to be acted on soon. Hooper indicated her disapproval of not following the recommendation of the Labor Management Benefit Committee, after they spent a great deal of time and effort to review presentations and gather information. Tami Turnipseed, speaking on behalf of Labor Management Benefit Committee, detailed the process used to determine which provider to recommend to the Administration Committee. Turnipseed indicated one major factor influencing their decision was Holden’s emphasis on health care and health insurance education for the policyholders and family members. Turnipseed emphasized that the committee has taken on responsibility for improved utilization of health insurance, and a more active role in trying to help save

money for both taxpayers and policy users. Additional determinants for selecting Holden's included a well-prepared, easy to understand presentation, direct answers on questions, unsolicited suggestions on the upcoming HIPPA privacy act, availability of provider discounts, and ease of communication between Holden's representative and committee members. Holden's did provide references which were checked. Brief discussion followed on some confusion experienced with scheduling, and the RFP that was advertised for insurance companies rather than consultants. Jim Borgeson, Labor Management Benefit Committee, stated his agreement with the selection of Holden's. Discussion followed on whether specific selection criteria were used in determining the committee's recommendation. Linda Corbin, Douglas County Human Resources, briefly reviewed the process used on the RFP which was for insurance companies not consultants. Seven insurance companies responded. As to the question of Sauter Fairchild offering educational component within their package, Turnipseed responded Sauter Fairchild had said yes they would. Pleski recalled his participation at the Administration Committee meeting on this item, and that he strongly advocated at that time, going with what the Labor Management Benefit Committee recommended after they did all the work. Sauter Fairchild and Holden's Insurance Agency, Inc. representatives were then invited to address the Board.

Tim Sauter, Sauter Fairchild, described the primary focus of the company is employee benefits administration, and then elaborated on his proposal and proposal presentation to the Labor Management Benefit Committee. He noted that when he was contacted by Human Resources regarding an interview, he asked if he could discuss his consulting services, and he was told no. Sauter explained how he sat through the presentation and said nothing, assuming that at some point, his consulting proposal would be discussed, but that did not happen. Sauter stated concern about limitations of time, and no opportunity initially to make a presentation. Discussion followed as to whether Douglas County ever put out an RFP for consultant. Sauter responded that there was no formal bid for consulting, but a place in the paperwork for commission.

Steve Matushak, President of Holden's Insurance Agency, Inc., and Sherry Freeman, Benefits Division Manager, addressed the Board and chronicled the process Holden's followed since answering the RFP October 23, 2002. Matushak explained that at the meeting with the Labor Management Benefit Committee, information was provided that assisted in identifying Douglas County's needs. Following the Committee's meetings with various providers, Freeman was notified that the recommendation was Holden's and to prepare a fifteen minute presentation for the next Administration Committee meeting. Matushak indicated the next communication from the County was that the Administration Committee had selected Sauter Fairchild. Matushak indicated that he and Freeman attempted to discern what may have influenced such a turn of events, and in trying to find out more information, heard such comments as Holden's people sell snowmobile and auto insurance, and that the fee structure was written in such a way to increase claims to make more money. Matushak traced Holden's history as it relates to employee benefit plans, noting Holden's was first in Douglas County to have employee benefits plan administration and has a proven record of client satisfaction. He reiterated that Holden's stresses education for the entire family, and now has a liaison with SMDC. Holden's offers plans for both large and small groups, and is the only agency in Douglas County that can sell for all companies in Wisconsin. Matushak stated he

is convinced that the Labor Management Benefit Committee selected Holden's because of Benefits Division Manager Sherry Freeman and her ability to communicate and identify employee/employer needs.

Freeman explained how Holden's does not bring in vendors for the RFP. Reading her prepared statement, Freeman emphasized Holden's philosophy of being an advocate for their clients. She added that Holden's has four dedicated staff to service Douglas County's plan. Brief discussion followed on the cost implications should a city/county plan be considered in the future. The maximum fee is \$15,000 for plan administration, based on the \$3,000,000 cap. When asked if Holden's would do a monthly basis contract, Matushak stated he has enough confidence in Freeman and her staff, he could support a month-to-month contract. Matushak added there were a lot of discrepancies in the RFP, dates changed, and there was missing or incomplete information/specifications.

Corbin elaborated on what happened with meeting schedule. Sauter Fairchild's vendors were not able to attend the first meeting, and were subsequently re-scheduled.

County Board members discussed the Administration Committee's vote on this issue, and whether it was unanimous or not. County Clerk Sandvick clarified any confusion over the vote, indicating a roll call vote was taken on the motion to recommend Holden Insurance Agency, Inc., and failed 4-5-2. A motion recommending the Sauter Fairchild proposal was then made, without a roll call vote, and passed. As to whether that vote was unanimous is not known, due to the absence of roll call vote. Zukowski and Ryan noted they cannot support this resolution after Labor Management spent so much time and effort to make their recommendation. Zukowski noted he voted against the Sauter Fairchild proposal.

Motion by McKenzie, second Pleski, to refer resolution to Administration Committee with power to act. Roll call vote taken and failed with 12 Yes, 13 No, 1 Abstention, 2 Absent. Voting Yes were Eckman, Prettie, Quam, McKenzie, Shepard, Ryan, K. Johnson, Pleski, C. Johnson, Finn, Browne, Glenn. Abstaining was Ward. Absent were James O'Brien and Cosgrove.

Roll call vote was taken to adopt resolution and failed with 19 No, 6 Yes, 1 Abstention, 2 Absent. Voting Yes were Martin, Prettie, Conley, Willie, Allen, Coletta. Abstaining was Ward. Absent were James O'Brien and Cosgrove.

**RESOLUTION #137-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales

WHEREAS, Douglas County has advertised for sale various parcels of land on October 4, 11 and 18, 2002, in accordance with Section 75.69, Wisconsin Statutes, and the highest bids received are as follows:



\$ 3,000.00 PARCEL 75-02 - Lots 21 thru 24 Inclusive, Block 14, Harbor View Division, City of Superior, known as 5605-09 E. 3<sup>rd</sup> Street, from Northland Buildings. Intended use: Office building site.

NOW, THEREFORE, BE IT RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute quit claim deed to the above named business on the above named property.

Dated this 21<sup>st</sup> day of November, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase Profit and Loss on "Land Sales Account" by \$3,000.00)

ACTION: Motion by Allen, second Glenn, to adopt. Motion carried.

**RESOLUTION #138-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales - Special

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve sale of the following described property, which was previously advertised and did not sell:

\$14,825.00 Parcel 88-01: Northwest 1/4 of the Southwest 1/4, Section 17-47-12, Town of Amnicon, from James and Karen Olson. Intended Use: Recreation.

BE IT FURTHER RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute quit claim deed to the above named persons on the above named property.

Dated this 21<sup>st</sup> day of November, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$14,825)

ACTION: Motion by Martin, second Ward, to adopt. Motion carried.

**RESOLUTION #139-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Transfer of Property to City of Superior for Storm and Sanitary Sewer Improvements

RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and transfer ownership of the following properties to the City of Superior for sewer expansion project and future development:

- (1) Parcel #08-808-01361-00, described as Lot 21, Block 4, Albany Addition to South Superior, City of Superior;
- (2) Parcel #08-808-01341-00, described as Lot 10, Block 4, Albany Addition to South Superior, City of Superior;
- (3) Parcel #08-808-05317-00, described as Lot 10, Block 4, McQuaid's Addition to South Superior, City of Superior;
- (4) Parcel #10-810-00228-00, described as Lot 126, East 2<sup>nd</sup> Street, Townsite of Superior, City of Superior;
- (5) Parcel #10-810-00233-00, Lots 132 through 146, even numbers, East 2<sup>nd</sup> Street, Townsite of Superior, City of Superior; and
- (6) Parcel #10-810-00011-00, Block 12, East 1<sup>st</sup> Street, Townsite of Superior, City of Superior.

BE IT FURTHER RESOLVED that it is the intent that the above properties remain in public ownership for the purposes above stated, and if, at any time in the future, they are not used as intended, ownership of the properties will revert to Douglas County.

Dated this 21<sup>st</sup> day of November, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Allen, second Glenn, to adopt. Zukowski indicated he will not support giving land to the city, if the Village of Oliver is expected to pay for land. The Board questioned specifics for the intended project. Motion by Browne, second McKenzie, to refer the resolution back to Land and Development Committee for more information. Ryan noted she has a problem with giving all this land to the City of Superior time and again. Sandvick clarified a reversionary clause is part of this resolution. Willie indicated he was at the meeting and most of the plans for South Superior relate to storm sewer separation. Motion to refer carried.

**RESOLUTION #140-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Repurchase of Property by Susan Wangerin

RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and allow Susan Wangerin to repurchase Parcel #07-807-02555-00, described as Lots 4 and 5, Block 7, Wemyss's Addition to West Superior, desc. 587RP155, City of Superior, upon payment of delinquent taxes and fees in the amount of \$12,107.51, pursuant to Douglas County Ordinance #1.5.

Dated this 21<sup>st</sup> day of November, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None.)

ACTION: Motion by Coletta, second Allen, to adopt. Motion carried.

**RESOLUTION #141-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Tank Removal Projects Funding

WHEREAS, on October 22, 2002, Douglas County took a tax deed to the following described properties:

- (1) Lots 4, 5, and 6, Block 1, Charles Lord's Addition to White Birch, Section 26, Township 45N, Range 12W, Village of Solon Springs; and
- (2) Part of the NW 1/4 of SW 1/4, CM Volume 1, Page 223, Section 36, Township 45N, Range 12W, described 372 RP 8, excluding highway described 452 RP 484-5, Village of Solon Springs, and

WHEREAS, Property No. 1 has four underground petroleum storage tanks and an undetermined number of abandoned containers and Property No. 2 has five hazardous substance storage tanks and two abandoned containers, and

WHEREAS, the State of Wisconsin Department of Commerce has issued State Orders requiring removal of the tanks, and

WHEREAS, Swan & Associates, Inc., commercial and environmental consultants who have performed work for Douglas County in the past, were asked to prepare a proposal for these projects, and

WHEREAS, total estimated costs for Property No. 1, for tank removal, site restoration, and management of the project is \$34,780.00 and total estimated costs for Property No. 2, for tank removal, site restoration and management of the project is \$26,420.00, and

WHEREAS, application for a Brownfield Site Assessment Grant in the amount of \$30,000.00, for each of the sites has been made.

NOW, THEREFORE BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Land and Development Committee and authorize funding not to exceed \$9,165.53 (which includes \$8,165.53 county match for grants and \$1,000.00 contingency) for tank removal and management of the project, from the previously established reserved account designated for this purpose.

Dated this 21<sup>st</sup> day of November, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Decrease "Tank Removal Reserve Account" by \$9,165.53)

ACTION: Motion by Allen, second Martin, to adopt. Motion carried

**RESOLUTION #142-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Sale and Transfer of Land to Village of Oliver

WHEREAS, the Village of Oliver Board has experienced serious land erosion problems affecting several homes owned by Village of Oliver residents, and

WHEREAS, the Village of Oliver Board is working with FEMA to resolve the problem utilizing mitigation methods, with the potential of having to relocate residents losing their homes.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve sale of Douglas County land totaling 26 lots at \$300 each, described as follows, to the Village of Oliver:

Parcel Nos. OL-165-2001-00 and OL165-2000-00, Lots 1 through 26, Block 21, Riverside Addition to St. Louis, Village of Oliver.

BE IT FURTHER RESOLVED that Douglas County transfer ownership of the following described properties to the Village of Oliver, with the agreement that these properties remain in the ownership of the Village of Oliver as the future site of a water tower, and if at any time in the future, these properties are not used for the intended purpose, ownership will revert to Douglas County:

Parcel No. OL-165-1986-00, Lots 3 through 13, Block 16;

Parcel No. OL-165-1988-00, Lots 15 through 23, Block 16; and

Parcel No. OL-165-1990-00, Lots 25 and 26, Block 16, all in Riverside Addition to St. Louis, Village of Oliver.

Dated this 21<sup>st</sup> day of November, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$7,800.00)

ACTION: Motion by Allen, second Ryan, to adopt. Motion carried.

**RESOLUTION #143-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Transfer of Land to City of Superior

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve transfer of ownership of the following described property, to the City of Superior:

Lots 13 and 14, Block 196, West Superior, 7<sup>th</sup> Division, City of Superior, known as 1927 Tower Avenue.

Dated this 21<sup>st</sup> day of November, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Allen, second Glenn, to adopt. Motion carried.

**RESOLUTION #144-02**  
**RESOLUTION BY THE FOREST, PARKS AND RECREATION COMMITTEE**

Subject: Easement to Head of the Lakes Electric Cooperative

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Forest, Parks and Recreation Committee and approve granting of easement as described in Exhibit C-11-02, to Head of the Lakes Electric Cooperative.

Dated this 21<sup>st</sup> day of November, 2002.

(Committee Action: Unanimous)

(Fiscal Note: \$100 revenue)

ACTION: Motion by McKenzie, second Zukowski, to adopt. Motion by Hooper, second Liebaert, to **amend Schedule A attached to easement, adding #9, as follows: "This does not grant an easement for the Arrowhead to Weston transmission line or to the American Transmission Company."** Motion carried. Pleski indicated that HOL has intention to merge with East Central, and asked if the assignment to East Central is affected. Lovejoy indicated legally an assignment does not apply to ownership. Merging is the same company, not a buyer per se. Motion to adopt resolution carried.

**RESOLUTION #145-02**  
**RESOLUTION BY THE FOREST, PARKS AND RECREATION COMMITTEE**

Subject: Easement to City of Duluth

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Forest, Parks and Recreation Committee and approve granting easement as described in Exhibit D-11-02, to the City of Duluth.

Dated this 21<sup>st</sup> day of November, 2002.

(Committee Action: Unanimous)

(Fiscal Note: \$100 revenue)

ACTION: Motion by Zukowski, second Pleski, to adopt. Motion by Hooper, second Liebaert, to **amend Schedule A attached to easement, adding #8, as follows: "This does not grant an easement for the Arrowhead to Weston transmission line or to the American Transmission Company."** Motion carried. Motion to adopt resolution carried.

**RESOLUTION #146-02**  
**RESOLUTION BY THE FOREST, PARKS AND RECREATION COMMITTEE**

Subject: Forestry Department 2003 Annual Work Plan

WHEREAS, the Douglas County Forest Comprehensive Ten-Year Plan requires an annual work plan to be approved by the Douglas County Board of Supervisors, and

WHEREAS, the Douglas County Forest, Parks, and Recreation Committee has unanimously approved the annual Forestry work plan at their regular meeting held on Monday, October 28, 2002 and

WHEREAS, the Douglas County Board of Supervisors have adopted the Forestry Department budget at their budget meeting held October 29, 2002.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Forest, Parks, and Recreation Committee and approve the Douglas County Forestry Department Annual Work Plan for 2003 as set forth in Exhibit E-11-02.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Wisconsin Department of Natural Resources, Forestry Specialist, Spooner, Wisconsin.

Dated this 21<sup>st</sup> day of November, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Quam, second Allen, to adopt. Motion carried.

**RESOLUTION #147-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Cancellation of Tax Deed

RESOLVED, that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee cancel the tax deed issued on October 22, 2002, as Document No. 748799, on Parcel Number PO-171-00279-00 located in the Northeast 1/4 of the Northeast 1/4, 1-47-12, Village of Poplar.

Dated this 21<sup>st</sup> day of November, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Shepard, second John O'Brien, to adopt. Motion carried.

**RESOLUTION #148-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Amendment of Resolution #135-02, Budget for 2003

RESOLVED, that the Douglas County Board of Supervisors accepts the recommendation of the Administration Committee and amend Resolution #135-02 changing \$43,533,812.00 for operating expenditures to **\$43,798,812.00**, and changing \$578,474.00 for capital outlay to **\$313,474.00**, for a total sum of \$44,112,286.00, to properly classify capital expenses.

Dated this 21<sup>st</sup> day of November, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Coletta, second Hooper, to adopt. This properly classifies capital outlay. Motion by Allen, second Quam, to refer back to Administration Committee for clarification. Conley clarified this has zero impact on the levy. Motion to refer failed. Motion to adopt resolution carried.

**RESOLUTION #149-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Court Commissioner Salary

WHEREAS, Attorney Paul Baxter has been appointed Court Commissioner for Douglas County,  
and

WHEREAS, the Administration Committee has met and discussed the salary for the position.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and establish the following compensation and benefits for the position of Court Commissioner:

Position Title:	Court Commissioner
Status:	Full time, exempt
Start Date:	November 18, 2002



Compensation: Salary: A starting monthly salary of \$5,032.84 (\$60,394.00 Annually). Classification D63, Step 8+, with 3% increase upon completion of six month probationary period.

Benefits: Full benefit package

Dated this 21<sup>st</sup> day of November, 2002

(Committee Action: Unanimous)

(Fiscal Note: Within Court Commissioner 2003 budget)

ACTION: Motion by Martin, second Allen, to adopt. Motion carried.

**RESOLUTION #150-02**  
**RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: DNR Concurrence Process and Project Delays

WHEREAS, the Wisconsin Department of Transportation Surface Transportation Program (STP) is an important funding source for Douglas County, and

WHEREAS, the program funds 80% of projects costs, with Douglas County responsible for 20% as local match, and

WHEREAS, the STP projects are administered and competitively bid by the Wisconsin Department of Transportation, and

WHEREAS, prior to the projects being offered for competitive bids, the Wisconsin Department of Natural Resources (DNR) must provide concurrence (i.e. approval) for the project, and

WHEREAS, currently, the Department of Transportation District 8 counties of northwest Wisconsin are not receiving DNR concurrence letters in a timely manner, and

WHEREAS, Douglas County has three STP projects scheduled for construction during 2003 that are at risk of being delayed if DNR concurrence is not received soon, and

WHEREAS, project delays will result in additional project costs and have adverse impacts to the Douglas County budget.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Highway Committee and request efforts be expedited to resolve the internal DNR issues that are causing the project concurrence delays.

BE IT FURTHER RESOLVED that Douglas County requests that the DNR concurrence process be reviewed to confirm the necessity and validity of the process.

BE IT STILL FURTHER RESOLVED that upon passage of this resolution, copies be sent to Governor McCallum, **Governor-Elect Doyle**, Secretary of the Department of Transportation, Secretary **(current and new appointee)** of the Department of Natural Resources, Senator Jauch, and Representative Boyle.

Dated this 21<sup>st</sup> day of November, 2002.

(Committee Action: Unanimous)

ACTION: Motion by Shepard, second K. Johnson, to adopt. Motion by Mckenzie, second Hooper, to amend resolution so it is sponsored by entire County Board. Motion carried. Motion by Willie, second Allen, to send resolution to Governor-Elect Doyle and new Secretary of DNR. Motion carried. Motion to adopt resolution as amended, carried.

**RESOLUTION #151-02**  
**RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: Amendment of COMM 83 Private Onsite Wastewater Treatment System (POWTS)

WHEREAS, the State Department of Commerce is conducting a public hearing on proposed rule amendments for Comm 83, Private Onsite Wastewater Treatment Systems (POWTS) on December 4, 2002, and

WHEREAS, the Douglas County Board Chair, upon direction of the Board of Supervisors, created a Douglas County Comm 83 Advisory Committee to develop and recommend a policy that regulates the design, installation, maintenance, operation, repair and replacement of POWTS within Douglas County, and

WHEREAS, the Douglas County Board of Supervisors believes that reasonable and justifiable regulations are needed for the design, installation, operation, maintenance, repair and replacement of POWTS within Douglas County, Wisconsin, for the protection of the health and welfare of its citizens and the protection of its surface and ground waters, and

WHEREAS, the Douglas County Board of Supervisors believes that any law, administrative rule, or ordinance regulating the design, installation, operation, maintenance, repair, and placement of POWTS should:

- Respect the rights of private property owners;

- Allow for the installation of all safe and reliable POWTS;
- Allow for the most economical POWTS design, installation, maintenance, repair, and replacement alternatives available providing they are proven to be safe and reliable;
- Provide for a scientifically supported definition of a failing POWTS;
- Allow for the repair of existing systems without requiring replacement of the entire system providing the repair assures that the POWTS is operating in a safe and reliable manner.

NOW, THEREFORE BE IT RESOLVED, upon advice from the Douglas County POWTS Advisory Committee, the Douglas County Board of Supervisors recommends that Comm 83, Section 83.01 purpose be amended by adding “while at the same time protecting the rights of property owners”, and

NOW, THEREFORE BE IT FURTHER RESOLVED, that the amended Section 83.01 purpose would be: The purpose of this chapter is to establish uniform standards and criteria for the design, installation, inspection and management of a private onsite wastewater treatment system, POWTS, so that the system is safe and will protect public health and the waters of the state, while at the same time protecting the rights of property owners, and

BE IT FURTHER RESOLVED, that upon passage of this resolution, copies be sent to Ronald Acker, Department of Commerce, Senator Jauch and Representative Boyle, **WCA, Towns Association, Governor-Elect Doyle, and DNR Secretary.**

Dated this 21st day of November, 2002.

(Fiscal Note: None)

ACTION: Motion by Pleski, second W. Johnson, to adopt. Motion by W. Johnson, second Allen, to amend sponsorship by the entire County Board. Motion carried. Motion by Hooper, second C. Johnson, to amend resolution to send to WCA, Towns Association, Governor-Elect Doyle, and DNR Secretary. Motion carried. Discussion followed on the intent of POWTS. W. Johnson clarified that the POWTS group does not want to get around regulations, but at the same time wants property rights respected. It was noted that “Committee Action: None” at bottom of the resolution is wrong and County Clerk Sandvick will correct it. On December 4<sup>th</sup> some POWTS members are going to a meeting in Madison on Comm 83. There is a list of 13 items to be discussed at that time, and does not include all the points in Douglas County’s resolution. This resolution along with a letter will be presented at the Madison meeting. Motion to adopt resolution as amended, carried.

**RESOLUTION #153-02  
RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Jail Staffing Agreement

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve agreement **as amended**, between the Douglas County Board of Supervisors and the Douglas County Sheriff, for a staffing plan of 51 employees for the new Douglas County Jail (Exhibit G-11-02, Letter of Agreement, Douglas County Jail Staffing Plan).

Dated this 21<sup>st</sup> day of November, 2002.

(Committee Action: 7 - 2)

(Fiscal Note: Within 2003 Sheriff's Department budget)

ACTION: Motion by Glenn, second John O'Brien, to adopt. Zukowski indicated he has not supported this because another administrative position is not necessary. Discussion followed on the jail staffing walk-through. Motion by Pleski, second Allen, to **amend agreement as follows: 1) Attach jail walk-through results as Exhibit A to the Staffing Agreement; 2) Fourth paragraph, first line, following "adequate staffing" add "as shown on Exhibit A"; 3) Last paragraph, change 50.2 staff to "not to exceed 51"; and 4) Last paragraph, add "custodial/maintenance staff will not count towards the 51 positions for the jail, but will be employed by the Buildings and Grounds Department"**. Motion carried. Motion by Pleski, second Allen, to **amend agreement and have Sheriff-Elect Dalbec added as signatory**. Discussion followed on future review on the jail operations and staffing for the next year or two. McKenzie noted her objection to selection of the walk-through individuals. Further discussion continued on the need for Accounts Clerk position in the jail. Motion carried. Motion to adopt resolution carried.

**RESOLUTION #154-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Budgetary Transfer

RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve transfer of \$12,000 from Contingency Fund (Account 15210.5599) to Litigation Settlement Account (Account 15210.5739) for payment of litigation settlement.

Dated this 21<sup>st</sup> day of November, 2002

(Committee Action: Unanimous)

(Fiscal Note: Reduce Contingency Fund by \$12,000)

ACTION: Motion by McKenzie, second Martin, to adopt. Roll call vote taken and passed with 26 yes, 0 no, 2 absent. Absent were James O'Brien and Cosgrove.

**COUNTYBOARD CHAIR REPORT AND APPOINTMENTS:** The following appointments were recommended: Superior/Douglas County Chamber of Commerce - Douglas Finn to replace Keith Allen; Northern Waters Library Service Board of Trustees - reappoint Kathryn McKenzie for three year term; W-2 Community Steering Committee - Steve Wasserman, School District of Superior representative; Land Records Committee - remove Dan Peterson, add Jon Harris as Alternate for Richard Moore, and Keith Wiley as Alternate for Steve Rannenberg; Joint Multipurpose Building Mediation Committee - Jim Sigfrids (Head of the Lakes Fair Board), Clarence Holm (Curling Club), and Michael Glenn (Douglas County Land and Development Committee). Motion by Martin, second Pleski, to approve. Motion carried.

**COMMITTEE REPORTS:**

Hooper reported she has sent a memo to Administration Committee members as well as staff who regularly report to Administration Committee regarding providing information to the County Clerk's office in a timely manner, so it can be attached to agenda.

Conley reported Human Services Department relocating to second floor of courthouse next week until move into the new building. Next Human Services Board meeting cancelled.

Zukowski reported the Buildings and Grounds Committee met last week and he has been conferring on a few problems that periodically arise, but things moving along.

Coletta reported Board of Health met, and Home Health still looking at \$50,000 shortfall in revenues even after staff hours cut. Overall Health Department however, should be about \$25,000 short.

Ward reported City-County Committee met Monday, and discussed ideas on grant writing. District Attorney, City Attorney, and law enforcement individuals have agreed to work together on ways to pursue people who have outstanding fines.

C. Johnson reported Zoning Committee met and a meeting is being considered as informal group to discuss Shoreland Zoning Ordinance. Maybe spring or summer before anything pulled together. Rural Housing still receiving applications.

Quam reported Labor Management planning December 19 for holiday party at the courthouse. He also reported that Comm Center Option Two is still under consideration.

McKenzie reported NWLS Board met last weekend, and Burnett County was considering dropping out of the agreement. She suggested that when counties look at dropping out of such things like this, such as Pri Ru Ta, that NWRPC or someone be apprised of the need counties have for funding. Brief discussion followed on the cost to counties of belonging to a multitude of associations/organizations.

Prettie reported that Judiciary, Legislative and Veterans Committee reported that since the collection agency has collected \$16,718.90 (August/September/October) of the \$2.5 million outstanding fines. 62% goes to State; 13% to City of Superior; 25% to Douglas County (9% of this goes to Clerk of Courts Office). Committee would like to see these percentages change to benefit counties.

W. Johnson reported COMM 83 POWTS Committee is working hard and slow so not to rush on any part of it. He asked for any input or questions from Board members and the public.

Chair Finn reported next month two things coming from Executive Committee to the Board: 1) City of Superior advertising City-County Complex for sale; and 2) Recommendation of 11 member Health and Human Services Board (six County Board, five public).

Browne reported Forest, Parks and Recreation Committee met last week and everything going well. Bird Sanctuary reservation date is January 1<sup>st</sup>. December 2<sup>nd</sup> meeting is cancelled.

**APPROVAL OF BILLS AND CLAIMS:** Motion by Quam, second Shepard, to approve. Motion carried.

**SUCH OTHER MATTERS AS AUTHORIZED UNDER THE WISCONSIN STATUTES:**

Motion by Allen, second Prettie, that Chairman Finn schedule a special County Board meeting for Tuesday, November 26, 2002 for 6:00 p.m., to consider resolution on employee benefit plan administration. Hooper agreed to write the resolution. Motion carried.

Motion by Allen, second Coletta, that Corporation Counsel review the health insurance/consulting RFP, associated information provided on RFP, publication of the RFP, and the internal RFP process used, to be certain it is within legal requirements, as well as honorable on behalf of the County. Motion carried.

McKenzie announced a CD ROM will be available on the Nemadji River Basin for those County Board members whose districts are in that area. Contact Land Conservationist Diane Daulton in Ashland to request a copy.

**ADJOURN OPEN SESSION AND CONVENE CLOSED SESSION:** Motion by Ward, second Waterman, to adjourn open session and convene into closed session pursuant to Section 19.85(1)(c) and (g) of the Wisconsin Statutes to discuss pending litigation and personnel issue. Roll call vote taken and passed with 26 yes, 0 no, 2 absent. Absent were James O'Brien and Cosgrove. Meeting adjourned 9:00 p.m. Next regularly scheduled meeting - Thursday, December 19, 2002.

Submitted by,

Susan T. Sandvick  
Douglas County Clerk

**PROCEEDINGS OF A SPECIAL MEETING OF THE  
DOUGLAS COUNTY BOARD OF SUPERVISORS  
Tuesday, November 26, 2002, 6:00 p.m., City-County Complex Chambers  
1409 Hammond Avenue, Superior, Wisconsin**

Meeting called to order by Chairman Douglas Finn.

Pledge of Allegiance recited.

Roll call taken by County Clerk Susan T. Sandvick. There were 20 present, 8 absent. Absent and excused were Robert Browne, Michael Glenn, Stephen Ward, James O'Brien, John Shepard, Sr., Keith Allen, Kay Johnson, Wes Johnson.

**RESOLUTION**

**RESOLUTION #155-02  
RESOLUTION BY SUPERVISORS HOOPER, PLESKI, GLENN,  
ZUKOWSKI, SHEPARD AND COSGROVE**

Subject: Contract for Employee Benefit Program Services

WHEREAS the Labor Management Benefit Committee was formed to foster a relationship of trust and teamwork between labor and management, with a common goal to improve fringe benefits for all employees of Douglas County; and

WHEREAS the Labor Management Benefit Committee has devoted considerable time and effort to review proposals and conducted interviews for the purposes of recommending the best option for contracting employee benefit program services; and

WHEREAS the Labor Management Benefit Committee's work should be recognized as integral to continuing a strong, trusting work environment between the Douglas County Board of Supervisors and the employees; and

WHEREAS the recommendation of the Labor Management Benefit Committee is the selection of Holden Insurance Agency, Inc.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of Supervisors Hooper, Pleski, Glenn, Zukowski, Shepard, and Cosgrove supporting the decision of the Labor Management Benefit Committee, and enter into a contract for services with Holden Insurance Agency, Inc., relating to Douglas County's employee benefit program (as described in Exhibit A-11-26-02), for a 12 month period, effective January 1, 2003, at a fee rate of .50% of the monthly funding level, not to exceed an annual maximum of \$15,000.

Dated this 26<sup>th</sup> day of November, 2002.

(Fiscal Note: Maximum of \$15,000.00 within budget)

**ACTION:** Motion by Zukowski, second Hooper, to adopt. Willie expressed opposition to the resolution, stating that even though the difference between this proposal and the other proposal is a small amount, it should be a consideration. Hooper clarified that the maximum amount of the contract is \$15,000.00, but the actual amount is based on number of claims and could come in lower than the other proposal. Motion carried.

**ADJOURNMENT:** Motion by McKenzie, second Pleski, to adjourn. Motion carried. Meeting adjourned at 6:05 p.m. Next regularly scheduled meeting - Thursday, December 19, 2002.

Submitted by,

Susan T. Sandvick  
Douglas County Clerk



**PROCEEDINGS OF THE DOUGLAS COUNTY BOARD OF SUPERVISORS**  
**Thursday, December 19, 2002, 6:00 p.m., City-County Complex Chambers**  
**1409 Hammond Avenue, Superior, Wisconsin**

Meeting called to order by Chairman Douglas Finn.

Pledge of Allegiance recited.

Roll call taken by County Clerk Susan T. Sandvick. There were 24 present, 4 absent. Absent and excused were Robert Browne, Anthony Coletta, James O'Brien. Absent was Jan Jensen (arrived 6:05 p.m.)

Motion by Prettie, second C. Johnson, to approve minutes of the November 21, 2002 and November 26, 2002 meetings. Motion carried.

**CLAIMS AGAINST THE COUNTY**

Summons and Complaint by Philip J. Bradbury, as attorney for Ascend Care Corporation and Ascend Healthcare, Inc., requesting declaratory relief exempting certain properties from real estate taxes, and refund of unlawful real estate taxes collected.

Amended Summons and Complaint by Shawn M. Dunlevy, as attorney for Republic Bank, Inc., regarding replevin and foreclosure of mortgage against Husky Rustic Siding Company, et. al., of which Douglas County may claim an interest in real estate or personal property as a result of this action.

**CORRESPONDENCE**

1. Public Service Commission, notice of video conference hearing on December 19, 2002, regarding Superior Water, Light and Power Company application to increase rates. Referred to Corporation Counsel.
2. Department of Natural Resources, notice of intent to reissue pollutant discharge elimination system permit to Village of Superior. Referred to Environment, Agriculture and Extension Committee.
3. Department of Natural Resources, notice of grading permit to Rainy River Energy Corporation for grading on Nemadji River Bank. Referred to Environment, Agriculture and Extension Committee.
4. National Association of Counties, copy of "Local Greenprinting for Growth, Volume I, Overview". Referred to Land Conservation Committee and Forest, Parks and Recreation Committee.
5. Department of Health and Family Services, notice of payment to Douglas County for various program contracts. Referred to Human Services Board and Board of Health.

6. Department of Health and Family Services, uniform fee system payment schedule updates for 2003. Referred to Human Services Board, Board of Health, and Judiciary, Legislative and Veterans Committee.
7. Duluth Air & Aviation Expo 2003, announcement of 2003 airshow, request for support. Referred to Land and Development Committee.

Correspondence not on Agenda

8. ProSource Technologies, Inc., proposed City of Duluth pipeline project information, map, Federal Energy Regulatory Commission Proceedings and Guidelines. Referred to Land and Development Committee.
9. Department of Transportation, final calculations for Calendar Year 2003 General Transportation Aids. Referred to Highway Committee and Administration Committee.
10. Minnesota Power, notice of maintenance work on existing transmission line right-of-way which crosses Douglas County forest land. Referred to Forest, Parks and Recreation Committee and Land and Development Committee.
11. Department of Natural Resources, report on assessment of severance share on wood products cut from Douglas County forest lands. Referred to Forest, Parks and Recreation Committee.
12. Gary Gravensen, Town of Dairyland Supervisor, letter opposing Douglas County sale of forest crop land. Referred to Forest, Parks and Recreation Committee.
13. John A. Kurowicki, letter to Douglas County Board opposing increase in wetlands and restrictions on land development by the DNR. Referred to Zoning Committee and Forest, Parks and Recreation Committee.
14. Eric Lee, Allouez Art Works, proposal to donate painting to be permanently displayed in new facility. Referred to Buildings and Grounds Committee and Administration Committee.

### **PRESENTATIONS**

Chair Finn presented Employee of the Quarter Award to Sue Polaski, Human Services Department. Candace Anderson, representing Human Services Department, recognized Polaski's willingness to step into the new position created by the merger of departments. Polaski was nominated by co-workers in both the health and human services divisions.

Koszarek indicated James Litwin would be arriving later in the meeting, and that architect John Geissler was present and would address some of the issues on the project to date, particularly the railing issue. It

was clarified that there is nothing wrong with the elevator, but to use the elevator persons have to go past the railings. The city inspector has reviewed the situation and stated he would go along with what the state inspector says. State has requested more information as of today. The railing system is an engineered system, and specifications are set by the manufacturers. State has been requiring several bits of information that the architects have been submitting upon request. They are still requiring more information, and this information it is believed by the architects, construction manager and Koneczny, has already been submitted to the state office. Geissler will be talking with building code official tomorrow, and set a Monday meeting with county officials to inform them of the outcome of the phone conversation with the state. Conley stated his concerns that the Human Services Department is in disarray, and that he would like to see this resolved soon. Discussion followed on who is responsible or accountable for the delays or perceived problems. Koszarek indicated that he can't point fingers and say who is responsible for what, but the issues that have come up in some instances may have had something to do with errors made. He added that everybody is working to try and resolve the issues and focus on getting in as soon as possible. Koszarek indicated that his belief is to worry about where the responsibility lies later on. Questions arose on the absence of a clause in the contract for a concrete completion date and consequences for not meeting that date. Chair Finn indicated that he holds the same concerns as most, and he feels frustrated as others do. It seems no one has any answers.

Larry Kroll, Finance Director, briefly reviewed a 2002 budget update report which he distributed to County Board Supervisors. Overall amended budget and projected expenditures will be approximately \$56,000,000. Areas of concern include: Interest income which is \$450,000 less than expected as interest rates are about 1% as opposed to 3.5% projection; Sheriff's Department overtime budget projected to overrun about \$200,000; Buildings and Grounds budget overrun of approximately \$150,000; and Human Services experiencing budgetary pressure due to shortfalls in the state budget. Charts displaying historical budget data for several departments reflecting significant increases over the last ten years were discussed. It was noted that the waiver program may help for some state mandates. Out of 30 plus departments, about 22 remained level over the last ten years. Kroll explained that he expects net operating costs with the new facility should help reduce operating costs and bring in revenues.

A review of the Metro Center project budget approved at \$44,000,000, indicated approximately \$43,000,000 incurred as of November 25<sup>th</sup>. Kroll briefly elaborated on the various categories of this budget, noting the final costs for each, and breaking out the city portions. It is anticipated the majority of remaining costs will come in this month. Areas of concern are the architectural and Construction Manager fees. Monthly interest on the project right now is approximately 5% and \$36,000,000 was the initial bond amount. Discussion followed on the expanded audit, and Kroll stated the auditors were here for three days this week and looked at the Metro Center budget. Two additional auditors may be needed, depending on outcome of a conference call to be scheduled between the lead auditor and Administration Committee. Auditor has questions as to how much detail the county wants as part of the audit. The audit cost was set, and what the auditors will do will be based on that amount. Regarding waiver for state mandates, Kroll advised the county begin considering these soon, and that any mandated program can be put on the table. Pleski indicated he recalled from the state mandate waiver letter that no mandates are

available for health and safety programs. This will need to be reviewed. Kroll indicated next month more will be known on budgets.

## **ORDINANCES**

### **AMENDMENT TO ORDINANCE #8.0 ZONING ORDINANCE PRESENTED BY THE ZONING COMMITTEE**

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF DOUGLAS DOES ORDAIN AS FOLLOWS:

WHEREAS, the Douglas County Zoning Committee held a public hearing on December 12, 2002, on the following petition for amendment of the county zoning district ordinance map:

Part of the SE1/4 of the SW1/4, Section 10, Township 47 North, Range 14 West, Town of Superior, from F-1: Forestry zoning district to the A-1: Agriculture zoning district, by Frederick and Jeanette Atkinson, 3783 E. Baumgartner Road, Superior, Wisconsin. Intended use: Buildings site.

WHEREAS, proof of publication of the notice of the public hearing, proof of giving notice to the town clerk of the hearing, and correspondence from the town is as shown on Exhibit A-12-02.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Zoning Committee and approve the petition.

BE IT FURTHER RESOLVED that the County Clerk notify the town clerk of the action.

Dated this 19<sup>th</sup> day of December, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by C. Johnson, second Eckman, to adopt. Motion carried.

## **RESOLUTIONS**

Motion by Hooper, second Zukowski, to suspend the rules and take up resolution #168-02. Motion carried.

### **RESOLUTION #168-02 RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: Health Insurance Third Party Administrator

WHEREAS, the Labor Management Benefit Committee and Holden Insurance Agency met on December 12, 2002, and reviewed proposals for third party administrator for Douglas County's health insurance plan, and

WHEREAS, the committee and insurance consultant are recommending contracting with Comprehensive Care Services (CCS), also known as Minnesota Blue Cross, as third party administrator.

NOW, THEREFORE, BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of Supervisors Hooper and Finn, and contract with Comprehensive Care Services, the low proposal, as third party administrator for Douglas County's health insurance plan for the period from January 1, 2003 through December 31, 2003.

Dated this 19<sup>th</sup> day of December, 2002.

(Fiscal Note: \$211,482.00 within budget)

ACTION: Motion by Martin, second Hooper, to adopt. Sherry Freeman, Holden's Insurance, Inc., elaborated on the process of RFP's. Labor Management Benefits Committee has recommended CCS as third party administrator instead of EPIC, due to cost and services. Fixed costs were less, and annual maximum costs were close. Most RFP's received were \$300,000 to \$400,000 more than CCS. Final maximum will be between \$2.4 million and \$2.9 million. Koszarek noted that because the self-insured budget is overbudget, there is a 10% increase in the premiums planned. CCS carries the policy and pays the claims. Motion by Cosgrove, second Zuowski to amend resolution and have it sponsored by entire County Board. Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #156-02**

**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales

WHEREAS, Douglas County has advertised for sale various parcels of land on October 31, November 7 and 14, 2002, in accordance with Section 75.69, Wisconsin Statutes, and the highest bids received are as follows:

\$ 7,700.00    PARCEL 77-02: Blocks 1 through 8 inclusive (West ½ of the Northeast 1/4 of the Southeast 1/4), excluding power and pipeline easement, Cambria Square, Section 9-48-14, Town of Superior, from Lakehead Blacktop. Intended use: Future expansion.

- \$ 5,000.00 Parcel 78-02: Lots 33, 35, 37, 39, 41, and 43, excluding Railroad Right-of-Way, Townsite of Superior, known as 2921-31 East 9<sup>th</sup> Street, City of Superior, from Joseph Alore. Intended use: Owns adjacent property; construct garage.
- \$ 605.00 Parcel 81-02: Lots 14 and 16, Block 2, Oliver Bridge Division, Village of Oliver, from Cal Jasper. Intended use: Residential.
- ~~\$10,510.00~~ Parcel 84-02: Blocks 7, 8, and 9, Water Street, Townsite of Superior, known  
**\$ 7,742.00** as 3702-30 Water Street, City of Superior, from ~~Robert Paine~~ **Thomas Acton**.  
 Intended use: **Residential Recreation**.

NOW, THEREFORE, BE IT RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute quit claim deeds to the above named persons on the above named properties.

Dated this 19<sup>th</sup> day of December, 2002

(Committee Action: Unanimous)

(Fiscal Note: Increase Profit and Loss on "Land Sales Account" by ~~\$23,815.00~~ **\$21,047.00**)

ACTION: Motion by Allen, second Glenn, to adopt. Motion by Allen, second Hooper, to amend resolution, parcel #84-02, reducing dollar amount to "\$7,742"; change name from Robert Paine to "Thomas Acton"; intended use to "Recreation"; and adjust fiscal note accordingly. Motion carried. Motion to adopt resolution as amended, carried.

**RESOLUTION #157-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Land Sales - Special

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve sale of the following described properties, which were previously advertised and did not sell:

- \$ 19,425.00 Parcel 98-01: Northwest 1/4 of the Southwest 1/4, Section 6-46-14, Town of Summit, from Mark Tomczak. Intended use: Owns adjacent property.
- \$ 300.00 Parcel 74-02: Lot 15, Block 4, Central Business Addition to Carnegie, Village of Oliver, from Jeffrey and Jenny Bobula. Intended use: Building site.

BE IT FURTHER RESOLVED by the Douglas County Board of Supervisors, in regular meeting assembled, the County Clerk be, and she hereby is authorized to execute quit claim deeds to the above named persons on the above named property.

Dated this 19<sup>th</sup> day of December, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Increase "Profit and Loss on Land Sales Account" by \$19,725.00)

ACTION: Motion by Allen, second Glenn, to adopt. Motion carried.

**RESOLUTION #158-02**  
**RESOLUTION BY THE LAND AND DEVELOPMENT COMMITTEE**

Subject: Repurchase of Property

RESOLVED, that the Douglas County Board of Supervisors accept the recommendation of the Land and Development Committee and approve the following request to repurchase tax delinquent property, pursuant to Douglas County Ordinance #1.5:

- (1) From Harlan P. Klein to repurchase Parcel #HI-016-01279-00, described as Lot 3, Block 2, Susitna Plat (3.05 acres), Section 36-45-10, Town of Highland, having paid delinquent taxes and fees in the amount of \$ 4,124.08.
  
- (2) **From Robert S. And Romona Cetnar, to repurchase Parcel #05-805-00164-00, Lots 17, 18, and 19, Block 253, West Superior, 13<sup>th</sup> Division, known as 1218 Weeks Avenue, City of Superior, having paid delinquent taxes and fees in the amount of \$9,739.91.**

Dated this 19<sup>th</sup> day of December, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None.)

ACTION: Motion by Cosgrove, second Glenn, to adopt. Motion by Allen, second Glenn, to amend resolution and add (1) to first paragraph, and add the following: "(2) From Robert S. and Romona Cetnar, to repurchase Parcel #05-805-00164-00, Lots 17, 18, and 19, Block 253, West Superior, 13<sup>th</sup> Division, known as 1218 Weeks Avenue, City of Superior, having paid delinquent taxes and fees in the amount of \$9,739.91." Motion carried. Motion to adopt resolution, as amended, carried.

**RESOLUTION #159-02**  
**RESOLUTION BY THE EXECUTIVE COMMITTEE**

Subject: Health and Human Services Board Established

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Executive Committee and establish an eleven member Health and Human Services Board, as a committee of the Douglas County Board, to act as the committee of jurisdiction for the Health and Human Services Department.

BE IT FURTHER RESOLVED that the composition of the Board is as follows:

- 6 - County Board Supervisors
- 3 - Community members
- 1 - Medical community member
- 1 - Consumer or family member of consumer of Human Services

BE IT STILL FURTHER RESOLVED that the committee size, membership structure and oversight ability be reviewed by the Executive Committee prior to the 2004 County Board reorganization.

Dated this 19<sup>th</sup> day of December, 2002.

(Committee Action: Unanimous)

(Fiscal Impact: Undetermined)

ACTION: Motion by Hooper, second Martin, to adopt. Motion carried.

**RESOLUTION #160-02**  
**RESOLUTION BY SUPERVISORS QUAM AND ZUKOWSKI**

Subject: Consolidated Communications Center Agreement between City of Superior  
and Douglas County

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of Supervisors Quam and Zukowski, and approve operation and maintenance of a Consolidated Communications Center, as set forth in Exhibit B-12-02, Agreement between the City of Superior and Douglas County.

Dated this 19<sup>th</sup> day of December, 2002.

(Fiscal Note: Undetermined)

ACTION: Motion by Allen, second Glenn, to adopt. Supervisors had many questions on this agreement, and Allen stated he believed the agreement as presented does nothing for the county. Motion by Allen, second McKenzie, to refer resolution to Administration Committee and Law Enforcement Committee. Brief discussion followed on the composition and powers of a Communication Center Board of Directors. Corporation Counsel Felker indicated he had nothing to do with the changes in the agreement, but he did



have some questions on the original agreement years ago which were addressed. He added that he did not see any real legal problems with the agreement, and suggested perhaps some political issues existed. Pleski noted he did not see many political issues in this, but more policy questions. When asked if agreements such as these should come before the County Board in draft or final form, Chair Finn responded final. Motion to refer carried.

**RESOLUTION #161-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Amendment to County Board Manual of Policies and  
Procedures - Committee Meeting Schedule

WHEREAS the Executive Committee met on November 18, 2002 and approved Supervisor Finn and Douglas County Clerk Sandvick to develop a reasonable, practical, efficient and cost-effective policy for scheduling County Board committee meetings, and authorized review of the policy by the Administration Committee; and

WHEREAS the Douglas County Board of Supervisors has requested department heads to review their respective departmental budgets for potential cost-saving measures; and

WHEREAS the Douglas County Board of Supervisors recognizes the importance of regularly scheduled committee meetings, but agrees that the volume and types of business for each committee does not always necessitate monthly meetings.

NOW, THEREFORE BE IT RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Administration Committee and approve amending the County Board Manual of Policies and Procedures, adding a new section entitled "County Board Committee Meeting Schedule" as set forth in Exhibit C-12-02.

Dated this 19<sup>th</sup> day of December, 2002.

(Committee Action: Unanimous)

(Fiscal Note: Potential cost-savings undetermined.)

ACTION: Motion by Allen, second C. Johnson, to approve. Motion by Zukowski, second Hooper, to amend the policy inserting "third Monday of January to third Monday of February" as time period for committee meeting hiatus. Motion carried. Discussion followed on how the Communication Center Board will fit into this policy. Motion by Allen, second Hooper, to add Environment, Agriculture and Extension Committee to number 2 of the policy. Motion carried. Motion by McKenzie, second Eckman, to amend the policy and add Land Conservation Committee to meet quarterly. Motion carried. Motion by Pleski, second Prettie, to strike bold language in paragraph 1 and paragraph 5, and replace with "unless there is

sufficient committee business requiring timely action”. Motion carried. Revised meeting schedule will be incorporated into annual County Board calendar. Motion to adopt resolution carried.

**RESOLUTION #162-02**  
**RESOLUTION BY THE ADMINISTRATION COMMITTEE**

Subject: Budgetary Transfers

RESOLVED, that the Douglas County Board of Supervisors accept the recommendations of the Administration Committee and approve the following transfers:

- (1) Metro Center - \$15,000.00 (to cover general expenses (copies, nominal expenses, et.), from estimated cost of Worker’s Compensation insurance); and
- (2) Child Support - \$4,747.00 (J.E. #100684 - purchase of copier; transfer from contracted services; no fiscal impact.

Dated this 19<sup>th</sup> day of December, 2002

(Committee Action: Unanimous)

(Fiscal Note: None)

(Administrative Note: Two-thirds vote of Board-elect required)

ACTION: Motion by Shepard, second John O’Brien, to adopt. Roll call vote taken and passed with 25 Yes, 0 No, 3 Absent. Absent were Browne, Coletta, James O’Brien.

**RESOLUTION #163-02**  
**RESOLUTION BY THE EXECUTIVE COMMITTEE**

Subject: Advertising Campaign for Sale of City-County Complex

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Executive Committee and approve advertising the City-County Complex for sale, as requested by Mayor Kotter and City Council, City of Superior, as follows:

- 1) That Douglas County cooperate with the City of Superior and have them take the lead to advertise the City-County Complex for sale with regional advertising campaign;
- 2) That an official appraisal be conducted;
- 3) That a potential sale require joint approval by the City of Superior and Douglas County; and

- 4) That any proceeds from approved sale of the building be specifically allocated for development of parking lot(s).

BE IT FURTHER RESOLVED that a copy of this resolution be sent to City of Superior Mayor Kotter, City Attorney Prell, and City of Superior Councilors.

Dated this 19<sup>th</sup> day of December, 2002.

(Committee Action: 8-1-3)

(Fiscal Note: None)

**ACTION:** Motion by Willie, second Martin, to adopt. Conley stated he keeps hearing out in the community that the building is for sale for \$1.0 million, which is erroneous. No sale price set. Zukowski responded that if sale does not net \$1.0 million, there is no money for another parking lot somewhere, and taking down homes would take property off tax rolls. After brief discussion, Ward suggested tabling the issue. Willie expressed his opinion on not wanting to take business from local businesspersons who have real estate and space available. On the other hand, perhaps it is worth at least finding out if there is someone who needs this space. Hooper stated opposition to sale of the building because of competing with the business community who lease space. It was noted the city came to county with the proposal, then the Council backed away from involvement. Pleski encouraged supervisors to vote this down and go with the original plan to demolish the building. John O'Brien agreed that the original resolution was to demolish, at which time the city was looking for other space as well. Motion by Zukowski, second Cosgrove, to table the resolution and refer it back to Executive Committee. Conley indicated he would like to see an opportunity for any proposals for sale to come forward, though a minimum of \$1.0 million not be used, but leave it open to offers. Chair Finn explained his frustration on this issue, noting the request came from the city, and he has received one viable inquiry on purchasing the complex, which does not appear to be something that would compete with other businesses who lease space. He noted the Mayor has also since received at least two creditable inquiries. Tabling the resolution does not kill it, as it can be removed from the table at any time. Roll call vote taken on motion to table, and failed with 10 Yes, 15 No, 3 Absent. Voting yes were John O'Brien, Zukowski, Eckman, Martin, Ryan, Hooper, K. Johnson, Pleski, W. Johnson, Cosgrove. Absent were James O'Brien, Coletta, and Browne.

Motion by Allen, second Willie, to allow any public input on this issue. Motion carried.

Kevin Peterson encouraged Board to pursue any possibilities, including selling it, and noted the amended budget does not have dollars in it to demolish to building and build a parking lot. He added there is no law or statute that precludes the county from competing with business community. If sold to private business, it goes on the tax rolls. Brad Theien, 6060 S. State Rd 35, Superior and employee of city, addressed the board noting that to tear the building down is \$1,000,000 and have a parking lot. He suggested that to sell it puts it on tax rolls, that nets a dollar amount. Theien recommended pursuing a sale.

Motion by Allen, second Willie, to refer resolution to the Land and Development Committee and to the City-County Committee. Land Account can pay for appraiser fee. Eckman indicated he didn't think an appraisal would be needed, but to let the market set the price. Pleski indicated that until such time as a demolition contract is agreed upon, the building is for sale. There are people in the neighborhood who are worried about having to sell their homes and those who would agree to sell their homes. Theien noted that he agreed no appraisal would be needed, but a great deal of information on the building needs to be gathered such as heating system, electrical. Koszarek will send a letter to Mayor Kotter informing her of the Board's decision. Motion to refer carried.

**RESOLUTION #164-02**  
**RESOLUTION BY THE DOUGLAS COUNTY BOARD OF SUPERVISORS**

Subject: Lakehead Constructors, Inc., Settlement

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of Supervisors Finn and Hooper and authorize payment of ~~\$120,000.00~~ **\$250,000.00** from the **construction line item of the** Metro Center project budget to Lakehead Constructors, Inc., pursuant to the terms of the Mediated Settlement Agreement dated November 13, 2002, between Lakehead Constructors, Inc., and Douglas County, and approved by the Douglas County Board during a closed session meeting on November 21, 2002.

**BE IT FURTHER RESOLVED, that payment terms, as stated in Briggs and Morgan letter dated December 19, 2002, to Chairman Douglas Finn, will be as follows:**

- (1) County must pay on or before December 31, 2002 to Lakehead Constructors, Inc., the sum of \$250,000, with all other conditions of the Mediated Settlement Agreement dated November 13, 2002 to be honored;**
- (2) Artstone will pay \$60,000 by check directly to the County within the next 30 days and Artstone will also receive a combination of additive and deductive change orders together with contract retainage currently being withheld and to be paid pursuant to the terms of the contract;**
- (3) Reuben Johnson will pay \$30,000 in the form of a deductive change order that will result in the County retaining that sum from any future payments to Reuben Johnson. Any other additive or deductive change orders, including any retainage owed, would be offset by this \$30,000 deductive change order; and**
- (4) Adolfson & Peterson will contribute \$40,000, either in the form of a direct payment or a deductive change order to its contract with the County with any other pending or future additive or deductive change orders and contract retainage to be adjusted accordingly.**

Dated this 19<sup>th</sup> day of December, 2002.

(Fiscal Note: Reduction of ~~\$120,000.00~~ **\$250,000.00** from the **construction line item of the** Metro Center project budget)

**ACTION:** Motion by Glenn, second Allen, to adopt. Motion by Zukowski, second Allen, to amend resolution and have it sponsored by entire County Board. Motion carried. Koszarek called attention to the Briggs and Morgan letter which explains the actual settlement amount is \$250,000, with the county's obligation to be \$120,000. Motion by Allen, second Hooper, to amend resolution and include the four paragraphs from Briggs and Morgan letter as to where the funds will come from, and change the amounts appropriately, with \$120,000 to come from Construction Budget line item. Motion carried. Discussion. Ward noted his continuing opposition to this resolution, and these things should have been taken care of by Construction Manager who is paid for that purpose. Roll call vote taken on resolution as amended, and passed with 23 Yes, 2 No, 3 Absent. Voting no were W. Johnson, Ward. Absent were Coletta, Browne, James O'Brien.

**RESOLUTION #165-02**  
**RESOLUTION BY THE BUILDINGS AND GROUNDS COMMITTEE**

Subject: Lease Agreement with Cellular One

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of the Buildings and Grounds Committee and approve building lease agreement with Cellular One as set forth in Exhibit D-12-02.

Dated this 19<sup>th</sup> day of December, 2002.

(Committee Action: Unanimous)

(Fiscal Note: \$12,000 annual revenue)

**ACTION:** Motion by Zukowski, second Martin, to adopt. Koszarek noted that on page one the lease talks about terms of agreement being five years, which used to be three years. Construction management figured out what it cost to adapt building for Cell One needs, and this is one reason for a escalator clause at 4% per year, with a minimum of \$12,000 per year to recoup the County's money. Supervisors had several questions on the lease, including why Exhibits A and B did not accompany the lease. Motion by Pleski, second Allen, to refer this resolution back to Buildings and Grounds Committee. Motion to refer carried.

**RESOLUTION #166-02**  
**RESOLUTION BY THE BUILDINGS AND GROUNDS COMMITTEE**

Subject: Name for New Buildings formerly known as Metro Center

RESOLVED that the Douglas County Board of Supervisors accept the recommendation of the Buildings and Grounds Committee and approve "Government Centre" as the official name for the new Douglas County buildings, located at 1316 North 14<sup>th</sup> Street, Superior, Wisconsin 54880.

BE IT FURTHER RESOLVED that "Government Centre" be part of the official address for all offices within the buildings, and that this be communicated to local main offices of the United States Postal Service, all City of Superior and Douglas County offices, and local media.

Dated this 19<sup>th</sup> day of December, 2002.

(Committee Action: Unanimous)

(Fiscal Note: None)

ACTION: Motion by Glenn, second Pleski, to adopt. Hooper indicated that everyone knows this building as Metro Center, and she would like to stay with it. Motion by McKenzie, second Eckman, to table this resolution. Roll call vote taken and passed with 13 Yes, 12 No, 3 Absent. Voting no were Allen, Pleski, W. Johnson, Liebaert, Cosgrove, Jensen, John O'Brien, Glenn, Zukowski, Prettie, Robinson, Conley. Absent were Coletta, Browne, James O'Brien.

**RESOLUTION #167-02**  
**RESOLUTION BY SUPERVISOR FINN**

Subject: Amend County Board Manual of Policies and Procedures

RESOLVED that the Douglas County Board of Supervisors accept the recommendations of Supervisor Finn and amend the Douglas County Board of Supervisors Policies and Procedures, Committee Structure, as follows:

**B. Standing Committees and Duties**

EXECUTIVE (Chairpersons of all Standing Committees and Chairpersons of Health and Human Services Board and Health Commission, if County Supervisors): This shall be the committee on committees and perform such duties as directed by the Chairperson and the Board. It shall meet on the call of the Chairperson of the Board and be Chaired by the County Board Chairperson.

ADMINISTRATION (~~Merger of Finance and Personnel Committees established on a trial basis through 2002 County Board Reorganization meeting, unless authorized to continue on a permanent basis~~ 11 members): This committee shall have referred to it any matters relating to finance, insurance, bonds, equalization, claims, computer operations, and any matters relating to personnel of Douglas County, including, but not limited to, matters relating to wages, code of ethics, promotions, demotions, grievances, new positions, reclassifications, negotiations, employee benefits (including health insurance carrier), monitors safety program for county employees and any

other related items. It shall be the committee of jurisdiction for the Administration, County Clerk, Register of Deeds, Treasurer, Data Processing, and Finance Departments and Corporation Counsel (~~in regard to administrative and budgetary oversight~~). It shall be responsible for presenting budgets to entire board at budget session.

BUILDINGS AND GROUNDS (7 Members): This committee shall have referred to it all matters relating to building construction, maintenance, repairs, operations and rentals of county buildings and grounds (~~including fairgrounds~~), other than Highway and Forestry. Shall be designated as Special Building Committee on all construction and remodeling projects authorized by the County Board. Shall be responsible for long range development plans for buildings and office space needed by the County.

JUDICIARY, LEGISLATIVE AND VETERANS (5 Members): This committee shall have referred to it all matters of state and federal legislation relating to county government, the courts or litigation. It shall be the committee of jurisdiction for the ~~Corporation Counsel~~, District Attorney, Family Court Commissioner, Child Support Department, Clerk of Court, and Veterans Department; acts as liaison between the Board and the courts; meets with the Corporation Counsel and lobbies for consideration of state and federal legislation and takes positions for county government on pending legislation affecting county; represents County Board at legislative hearings when necessary. Establish procedure for codification of County Board ordinances and resolutions.

ZONING (5 Members): This committee hears and makes recommendations or requests for zoning ordinance amendments in towns; acts as liaison between Board and Regional Planning Commission and advises on all matters relating to land use planning and development; reviews plats and cemetery maps; serves as committee of jurisdiction for the Zoning Office. This is the committee of jurisdiction for the County Surveyor.

LAND AND DEVELOPMENT (7 Members): This committee shall have referred to it any matters relating to the purchase, sale, or leasing of county property (not including county forest land ~~or fairgrounds~~), taxes, tax titles, economic development matters and any other related items. ~~This is the committee of jurisdiction for the County Surveyor.~~

Under Section C. - Special Appointments, update to reflect current committees.

Dated this 19<sup>th</sup> day of December, 2002.

(Fiscal Note: None)

ACTION: Motion by Allen, second Pleski, to adopt. Sandvick explained some housekeeping that needs to be done in the Manual. Motion by Pleski, second Quam, to amend resolution and delete parenthetical "(in regard to administrative and budgetary oversight)" in B., second paragraph ADMINISTRATION. Motion carried. Motion to adopt resolution, as amended, carried.

**ADMINISTRATIVE COORDINATOR REPORT:** As Koszarek had earlier presented his report on the building project, Litwin was now present and briefly addressed the Board. Litwin stated he wanted to correct a statement made tonight about demolition dollars for the City-County Complex. He recalled that an earlier agreement was that the demolition dollars were in the Construction Manager's budget, so effectually the building can come down. Addressing Ward's remarks, Litwin clarified that the Construction Manager is not responsible for construction documents - those items are the architects/engineers responsibility. He added that construction management does not do permits, other than some of the state permits which A&P did. Building A was turned over to County in November, but today there is one thing holding it up - the railing system. Litwin noted that the project is four months ahead of schedule for Building A, and that was done to help get Human Services Department out of their lease space on time. Technically, the project is ahead of schedule. In defense of state inspector, there was apparently some information not provided by architects that should have been done earlier. Elevator use is tied into the proximity of the railing system. Discussion followed on concerns of Human Services Department not being able to move into the building. Litwin responded that he's been trying to get answers as expeditiously as possible, but he doesn't know what to do next to get this moving along. He is reluctant to go over the head of state inspector to get something done, which could make it even a longer period of time. Litwin contended that the issues are design issues, not construction issues. Brief discussion followed on the question of the \$250 per month for the construction trailer. McKenzie asked what the usual timeline is for a project like this, and if the process could have been started earlier. Litwin responded that it could have been started earlier, and construction part of the process was in fact started earlier. The architects are the ones who hold responsibility for providing information and drawings to the inspectors. Ward asked when this project will be over, and Litwin responded the last date per contract is June. Building A is punched out. Ward reiterated his contention that the Construction Manager oversees the project. Litwin agreed, but clarified that the County chose not to have A&P oversee the architects, which is unfortunate because the architects are done and answers are coming in slow. Extensive discussion followed. Chair Finn encouraged all those involved to work together to get the issues resolved as soon as possible. When asked for percentages between architects and inspectors on the delays, Litwin explained that with all the components involved in the issues, it is difficult to put numbers on where the delays occurred. Koszarek cautioned not to point fingers, because the responsibilities lie in many places. Litwin indicated that eight weeks ago, he went over permit billings with accounting, and noted only \$11,000 instead of between \$20,000 and \$30,000 expected had been incurred, so he knew something was missing. He had been told the permits were approved. McKenzie noted that she is not interested in pointing fingers, but that she felt part of the answer was heard tonight, and that a good indication is that Board members (committees) allowed a mess to develop between Finance Department figures and construction management budget figures.

## **COUNTY BOARD CHAIR REPORT AND APPOINTMENTS**

City and county officials met this past week and work continues on the Comm Center issues.

The following appointments were recommended: City - County Committee - Larry Quam to replace Anthony Coletta; Health and Human Services Board - David Conley and Anthony Coletta, Co-Chairs, Therese Hooper, Patricia Ryan, Jan Jensen, Carol Johnson; community members Eileen McDonald, Arthur



Marquart, Louis Thompson; medical community member Patrick Sura, M.D., and consumer member Sue Ann Dumke. Communication Center Board - Sheriff Tom Dalbec to replace Carl Zukowski. Motion by Quam, second Allen, to approve appointments. Motion carried.

### **COMMITTEE REPORTS**

Zukowski reported the Buildings and Grounds Committee continues to meet monthly, and noted the group had worked with Extension and the Board Chair on naming the new buildings over the past three years, only to have this Board turn the recommendation down in less than one minute.

Hooper reported Administration Committee will meet January 6<sup>th</sup> instead of January 2<sup>nd</sup>.

C. Johnson reported Rural Housing met and approved some loans. Zoning Committee will be holding several special meetings in the next couple months to deal with specific ordinance issues.

Conley reported Human Services Board will meet the 26<sup>th</sup> in EOC of City-County Complex. He would like to see some consideration at that time for adjusting the meeting schedule for next year. Meeting of new joint board should be scheduled fairly soon.

Prettie reported Judiciary, Legislative and Veterans Committee meeting cancelled for December.

W. Johnson reported POWTS individuals attended COMM 83 meeting in Madison, established contacts, and delivered the committee's concerns and suggestions to the agencies.

### **APPROVAL OF BILLS AND CLAIMS**

Motion by Allen, second Shepard, to approve. Motion carried.

### **SUCH OTHER MATTERS AS AUTHORIZED UNDER THE WISCONSIN STATUTES**

McKenzie reported Pri Ru Ta meeting tomorrow at 10 at Joe's Pagoda. In January, Land Conservation will meet with Pri Ru Ta regional director Chris Borden. She briefly reviewed projects listed for Pri Ru Ta, and requested ideas for projects in Douglas County.

Quam reported work continues on consolidation of various city and county departments, and it has been recommended to set a target date to complete the consolidation process with specific goals.

Zukowski stated his frustration that following closed session of County Board last month, there was an article the next day in Duluth News-Tribune divulging Lakehead settlement which was closed session information. This is not to happen.

Ryan reported that Fair Board met.

**ADJOURNMENT:** Motion by Pleski, second Allen, to adjourn. Motion carried. Meeting adjourned at 8:43 p.m. Next regularly scheduled meeting - Thursday, January 16, 2003.

Submitted by,

Susan T. Sandvick  
Douglas County Clerk